

**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 2016 to August 2, 2017**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**NOVEMBER 1, 2017**

**PUBLISHED BY THE REVISOR OF STATUTES**  
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**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**Augusta, Maine**  
**2017**



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# PREFACE

The 2017 edition of Laws of the State of Maine is the official publication of the session laws of the State of Maine enacted by the 128th Legislature and is compiled and published under the authority of the Maine Revised Statutes, Title 3, section 163-A. Laws of the State 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.

Volume 1 contains the public laws, private and special laws and resolves enacted at the First Regular Session of the 128th Legislature, followed by the 2015 Revisor's Report, chapter 2, Initiated Bill 2015, chapters 2 to 5 and a selection of significant addresses, joint resolutions and memorials.

Additional volumes of the 2017 Laws of the State of Maine will contain those measures adopted in the Second Regular Session and any special session of the 128th 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 1.
4. Session cross-reference tables are also provided at the end of volume 1 showing how unallocated public laws 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 struck through. When an entire unit is repealed, the text that is repealed is not shown struck through, but its repeal is indicated by express language.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 128th Legislature is November 1, 2017. 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. Laws of the State of Maine is also available online through the website of the Office of the Revisor of Statutes at <http://www.mainelegislature.org/ros/LOM/lomdirectory.htm>.

This edition of Laws of the State 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.

Suzanne M. Gresser  
Revisor of Statutes  
October 2017

# LEGISLATIVE STATISTICS

## FIRST REGULAR SESSION 128th Legislature

Convened .....	December 7, 2016
Adjourned .....	August 2, 2017
Days in Session	
Senate .....	70
House of Representatives .....	70
Legislative Documents .....	1646
Carryover Bills and Papers .....	319
Public Laws .....	312
Private and Special Laws .....	9
Resolves .....	28
Constitutional Resolutions .....	1
Competing Measure Resolutions .....	0
Initiated Bills .....	2
Vetoes .....	128
Overridden .....	73
Sustained .....	55
Emergency Enactments .....	54
Effective Date .....	November 1, 2017 (unless otherwise indicated)

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**CIVIL GOVERNMENT  
OF THE  
STATE OF MAINE  
FOR THE POLITICAL YEARS 2017 AND 2018**

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**CONSTITUTIONAL OFFICERS**

Governor

Paul R. LePage

Secretary of State

Matthew Dunlap

Attorney General

Janet T. Mills

Treasurer of State

Terry Hayes

# EXECUTIVE BRANCH

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Paul R. LePage

Administrative and Financial Services, Department of  
Acting Commissioner ..... Dave Lavway  
Agriculture, Conservation and Forestry, Department of  
Commissioner ..... Walter Whitcomb  
Corrections, Department of  
Commissioner ..... Joseph Fitzpatrick  
Defense, Veterans and Emergency Management,  
Department of  
Commissioner ..... Doug Farnham  
Economic and Community Development, Department of  
Commissioner ..... George Gervais  
Education, Department of  
Commissioner ..... Robert Hasson  
Environmental Protection, Department of  
Commissioner ..... Paul Mercer

Health and Human Services, Department of  
Acting Commissioner ..... Ricker Hamilton  
Inland Fisheries and Wildlife, Department of  
Commissioner ..... Chandler Woodcock  
Labor, Department of  
Commissioner ..... John Butera  
Marine Resources, Department of  
Commissioner ..... Patrick Keliher  
Professional and Financial Regulation, Department of  
Commissioner ..... Anne Head  
Public Safety, Department of  
Commissioner ..... John E. Morris  
Transportation, Department of  
Commissioner ..... David B. Bernhardt

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Office of Policy and Management  
Director ..... Jonathan LaBonte

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Workers' Compensation Board  
Executive Director ..... Paul Sighinolfi

Public Utilities Commission  
Chair ..... Mark Vannoy

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Audit, Department of  
State Auditor ..... Pola Buckley  
Baxter State Park  
Director ..... Jensen Bissell  
Maine State Housing Authority  
Director ..... John Gallagher  
Maine Maritime Academy  
President ..... William J. Brennan  
Maine Port Authority  
Executive Director ..... John H. Henshaw

Maine Public Employees Retirement System  
Executive Director ..... Sandy Matheson  
Maine Turnpike Authority  
Executive Director ..... Peter Mills  
Maine Municipal Bond Bank  
Chair ..... Stephen R. Crockett  
Finance Authority of Maine  
Chief Executive Officer ..... Bruce Wagner

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SUPREME JUDICIAL COURT**

Chief Justice

Leigh I. Saufley ..... Augusta

Associate Justices

Donald G. Alexander .....	Portland	Thomas E. Humphrey .....	Portland
Ellen A. Gorman .....	Portland	Joseph M. Jabar .....	Augusta
Jeffrey L. Hjelm .....	Augusta	Andrew M. Mead .....	Bangor

Active Retired Justices

Robert W. Clifford.....Auburn

**SUPERIOR COURT**

Chief Justice

Roland A. Cole ..... Portland

Deputy Chief Justice

Robert Mullen.....Augusta

Justices

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Daniel Billings .....	Wiscasset	Robert E. Murray .....	Machias
Wayne R. Douglas .....	Alfred	John O'Neil .....	Alfred
Andrew M. Horton .....	Portland	Harold Stewart II .....	Caribou
MaryGay Kennedy .....	Auburn	William R. Stokes .....	Farmington
Bruce C. Mallonee .....	Bangor	Lance Walker .....	Portland
Nancy Mills .....	Portland	Thomas D. Warren .....	Portland
Michaela Murphy .....	Augusta		

Active Retired Justices

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G. Arthur Brennan .....	Alfred	S. Kirk Studstrup .....	Bangor
Paul A. Fritzsche .....	Alfred	Joyce A. Wheeler .....	Portland
E. Allen Hunter .....	Caribou		

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Susan Oram (Deputy Chief Judge) .....	Augusta

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Gregory Campbell .....	Bangor	David Mitchell .....	Machias
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Peter Darvin .....	Bridgton	Tom Nale .....	Augusta
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Bruce Jordan .....	Bangor	Maria A. Woodman .....	Portland
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Rae Ann French .....	Augusta		

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Mary Ann Lynch .....	Government and Media Counsel
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Rick Record .....	Director of Court Operations
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Laura M. O'Hanlon .....	Chief of Communication, Information, and Access
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District 122 Michelle Dunphy..... Old Town  
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District 124 Aaron M. Frey..... Bangor  
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District 127 Barbara A. Cardone..... Bangor  
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District 149 Carol A. McElwee..... Caribou  
District 150 Roland Danny Martin..... Sinclair  
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Tribal Representatives

Matthew Dana II..... Passamaquoddy Tribe  
Henry John Bear..... Houlton Band of Maliseet Indians  
(Vacant)..... Penobscot Nation

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Jeannette Farnsworth, Journal Clerk and  
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Jeanette Rowell, Senior Executive Secretary  
Lynn Horr, Executive Secretary  
Ben Frech, Receptionist

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Lindsay Crete, Senior Communications Director  
Dan Ankeles, Legislative Aide  
Jonathan Hillier, Legislative Aide  
Morgan Pottle-Urquhart, Legislative Aide  
Margaret Reynolds, Legislative Aide  
Dan Shagoury, Legislative Aide  
Amy Sylvester, Senior Legislative Aide  
Alyssa Withee, Legislative Aide  
Carolyn Condon, Web and Senior  
Administrative Support Technician  
Paula Thomas, Senior Administrative Assistant

### House Republican Minority Office

Kenneth Wade Fredette, Republican Leader  
Ellie Espling, Assistant Republican Leader  
L. Earl Bierman, Chief of Staff  
Melissa Willette, Senior Legislative Aide  
Rob Poindexter, Communications Director  
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Ben Grant, Legislative Aide  
David A. Knorr, Legislative Aide  
Ryan Lorrain, Legislative Aide  
Clarke Reiner, Legislative Aide  
Craig Slavin, Legislative Aide  
Adam Crepeau, Secretary/Aide

### House Chamber Staff

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Lance D. Willis, Assistant Sergeant-at-Arms  
Don Switter, Doorkeeper  
Robert Edwards, Doorkeeper  
Fred Hatch, House Courier  
Theodore Sims, Page

Bruce Pelletier, Page  
Nathan Sylvester, Page  
Abby Wormell, Page  
Frank Gleason IV, Document Clerk and Record  
Assistant  
Crystal Dow, State House Tour Guide

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Sen. Andre E. Cushing III  
Sen. Troy D. Jackson

Sen. Nathan L. Libby  
Rep. Erin D. Herbig  
Rep. Jared F. Golden  
Rep. Kenneth W. Fredette  
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Sherry Ann Davis, Payroll and Benefits Supervisor

Heather R. Carey, Administrative Secretary  
Amanda S. Goldsmith, Legislative Services Associate  
Casey R. Bullock, Accounts Management Assistant

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Nik Rende, Systems Analyst – Team Lead  
Richard Price, Systems Engineer  
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Roy Lopez, Senior Programmer Analyst – Database  
Administrator  
Zachary Coulombe, Programmer Analyst  
Stacy Morang, Internet Infrastructure and Applications  
Administrator

Kristopher Penney, Desktop and Technical Support  
Administrator  
Michael Thompson, Desktop and Technical Support  
Administrator  
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Susan Begin, Office Support Technician

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Lisa Dunbar, Information Office Assistant

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Annie-Laurie Buckman, Committee Clerk Specialist

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Suzanne M. Gresser, Revisor of Statutes

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Janet Pooley, Paralegal  
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Elizabeth Chapman, Secretary  
Cindy L. Hall, Supervising Legislative Technician  
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Joyce Lapointe, Senior Legislative Technician  
Brenda Ringrose, Senior Legislative Technician  
Jill Gingras, Legislative Technician  
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Henry Fouts, Legislative Analyst  
Erin Lundberg, Legislative Analyst  
Craig Nale, Legislative Analyst  
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PUBLIC LAWS OF THE STATE OF MAINE  
AS PASSED AT  
THE FIRST REGULAR SESSION OF THE  
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE  
2017

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**CHAPTER 1**

**H.P. 66 - L.D. 88**

**An Act To Delay the  
Implementation of Certain  
Portions of the Marijuana  
Legalization 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, implementing a system for the regulation and administration of the cultivation, distribution and retail sale of recreational marijuana, a controlled substance, is a complex function with significant financial costs; and

Whereas, ensuring that possession and use of recreational marijuana is limited to persons who are 21 years of age and older is necessary to protect those who have not yet reached adulthood from the potential negative effects of irresponsible use of a controlled substance; 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 §2442, sub-§5**, as enacted by IB 2015, c. 5, §1, is repealed.

**Sec. 2. 7 MRSA §2442, sub-§22**, as enacted by IB 2015, c. 5, §1, is amended to read:

**22. Marijuana.** "Marijuana" means ~~cannabis~~ the leaves, stems, flowers and seeds of all species of the plant genus cannabis, whether growing or not.

**Sec. 3. 7 MRSA §2442, sub-§22-A** is enacted to read:

**22-A. Marijuana concentrate.** "Marijuana concentrate" means the resin extracted from any part of the plant genus cannabis and every compound, manufacture, salt, derivative, mixture or preparation from such resin, including hashish. In determining the weight of marijuana concentrate, the weight of any

other ingredient combined with marijuana to prepare a marijuana product may not be included.

**Sec. 4. 7 MRSA §2442, sub-§34**, as enacted by IB 2015, c. 5, §1, is amended to read:

**34. Retail marijuana.** "Retail marijuana" means ~~cannabis~~ marijuana or marijuana concentrate that is cultivated, manufactured, distributed or sold by a licensed retail marijuana establishment or retail marijuana social club.

**Sec. 5. 7 MRSA §2443**, as enacted by IB 2015, c. 5, §1, is repealed.

**Sec. 6. 7 MRSA §2444, sub-§2**, as enacted by IB 2015, c. 5, §1, is amended to read:

**2. Adoption of rules.** The state licensing authority shall adopt rules for the proper regulation and control of the cultivation, manufacture, distribution, sale and testing of retail marijuana and retail marijuana products and for the enforcement of this chapter, not later than 9 months after the effective date of this Act, and shall adopt amended rules and such special rules and make findings as necessary. For the purpose of adopting rules pursuant to this subsection, the commissioner may delegate rule-making authority granted under this section to the Commissioner of Administrative and Financial Services or the Commissioner of Public Safety, or both, if the commissioner determines that the expertise and resources of those other departments would be beneficial in the development of the rules and the enforcement of those rules. These rules are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A. Rules must address but are not limited to the following issues:

A. The hearing of contested state license denials at a public hearing, employing full due process, including the subpoena power, the taking of oaths, the calling of witnesses and the maintaining of the confidentiality of customer records. Provision must be made for the conduct of appeal hearings following license actions, including, but not limited to, the denial of a license renewal or of an initial license and license revocation and suspension, and hearings contesting the imposition of a fine;

B. The development of such forms, licenses, identification cards and applications as necessary for the administration of this chapter or of any of the rules adopted under this chapter;

C. The preparation and transmission annually, in the form and manner prescribed by this chapter, of

a report to the Legislature accounting for the efficient discharge of all responsibilities assigned by law or rules to the state licensing authority;

D. Procedures consistent with this chapter for the issuance, renewal, suspension and revocation of licenses to operate retail marijuana establishments;

E. Limits on the concentration of THC and other cannabinoids per serving in any retail marijuana product;

F. Qualifications for licensure including, but not limited to, the requirement for a fingerprint-based criminal history record check for all owners, officers, managers, employees and other support staff of entities licensed pursuant to this chapter;

G. Security requirements for any licensed premises under this chapter including, at a minimum, lighting, physical security, alarm requirements and other minimum procedures for internal control as determined necessary by the state licensing authority to properly administer and enforce the provisions of this chapter, including reporting requirements for changes, alterations or modifications to the licensed premises. Security requirements may not be unreasonably impracticable; and

H. Securing and recording permission for a local fire department or the State Fire Marshal to conduct an annual fire inspection of a retail marijuana cultivation facility.

**Sec. 7. 7 MRSA §2445, first ¶**, as enacted by IB 2015, c. 5, §1, is amended to read:

The Beginning February 1, 2018, the state licensing authority shall establish, within a specific time frame, a retail marijuana and retail marijuana products independent testing and certification program. This program must require licensees to test retail marijuana and retail marijuana products to ensure at a minimum that products sold for human consumption do not contain contaminants that are injurious to health and to ensure correct labeling.

**Sec. 8. 7 MRSA §2446, sub-§5** is enacted to read:

**5. Effective date.** This section takes effect February 1, 2018.

**Sec. 9. 7 MRSA §2447, first ¶**, as enacted by IB 2015, c. 5, §1, is amended to read:

~~An~~ Beginning February 1, 2018, an application for a license under the provisions of this chapter must be made to the state licensing authority on forms prepared and furnished by the state licensing authority and must set forth such information as the state licensing authority may require to enable the state licensing authority to determine whether a license should be

granted. The information must include the name and address of the applicant and the names and addresses of the applicant's officers, directors or managers. Each application must be verified by the oath or affirmation of such person or persons as the state licensing authority may prescribe. The state licensing authority may issue a license to an applicant pursuant to this section upon completion of the applicable criminal history record check associated with the application. The license is conditioned upon municipal approval. An applicant is prohibited from operating a retail marijuana establishment or retail marijuana social club without state licensing authority and municipal approval. If the applicant does not receive municipal approval within one year from the date of state licensing authority approval, the license expires and may not be renewed. If an application is not approved by the municipality, the state licensing authority shall revoke the license.

**Sec. 10. 7 MRSA §2448, sub-§19** is enacted to read:

**19. Effective date.** This section takes effect February 1, 2018.

**Sec. 11. 7 MRSA §2449, sub-§6** is enacted to read:

**6. Effective date.** This section takes effect February 1, 2018.

**Sec. 12. 7 MRSA §2450, first ¶**, as enacted by IB 2015, c. 5, §1, is amended to read:

~~A~~ Beginning February 1, 2018, a license granted under the provisions of this chapter is not transferable except as provided in this section, but this section does not prevent a change of location as provided in section 2451, subsection 7.

**Sec. 13. 7 MRSA §2451, first ¶**, as enacted by IB 2015, c. 5, §1, is amended to read:

The Beginning February 1, 2018, the following provisions govern licensing in general.

**Sec. 14. 7 MRSA §2452, sub-§1**, as enacted by IB 2015, c. 5, §1, is amended to read:

**1. Person 21 years of age or older.** A person 21 years of age or older may:

A. Use, possess or transport marijuana accessories and ~~use, possess or transport~~ up to 2 1/2 ounces of ~~prepared marijuana or a combination of marijuana and marijuana concentrate, which may include no more than 5 grams of marijuana concentrate~~;

B. Transfer or furnish, without remuneration, up to 2 1/2 ounces of ~~marijuana or a combination of marijuana and marijuana concentrate, which may include no more than 5 grams of marijuana con-~~

centrate, and up to 6 immature plants or seedlings to a person who is 21 years of age or older;

C. Possess, grow, cultivate, process or transport up to 6 flowering marijuana plants, 12 immature plants and unlimited seedlings, and possess all the marijuana produced by the plants at the adult's residence;

D. Purchase Beginning February 1, 2018, purchase up to 2 1/2 ounces of retail marijuana and marijuana accessories from a retail marijuana store; and

E. Purchase Beginning February 1, 2018, purchase up to 12 seedlings or immature plants from a retail marijuana cultivation facility.

**Sec. 15. 7 MRSA §2452, sub-§5**, as enacted by IB 2015, c. 5, §1, is repealed.

**Sec. 16. 7 MRSA §2452, sub-§§6 and 7** are enacted to read:

**6. Personal use; violation.** The following provisions apply to the personal consumption of marijuana and marijuana concentrate.

A. A person 21 years of age or older may consume marijuana or marijuana concentrate only if that person is:

(1) In a private residence, including curtilage; or

(2) On private property, not generally accessible by the public, and the person is explicitly permitted to consume marijuana or marijuana concentrate on the property by the owner of the property.

B. The operator of a vehicle on a public way or a passenger in the vehicle may not consume marijuana or marijuana concentrate. As used in this paragraph, "vehicle" has the same meaning as in Title 29-A, section 101, subsection 91.

C. A person may not consume marijuana or marijuana concentrate in a private residence or on private property used as a day care or baby-sitting service during the hours in which the residence or property is being operated as a day care or baby-sitting service.

D. A person may not consume marijuana or marijuana concentrate in a designated smoking area as provided under the Workplace Smoking Act of 1985.

A person who violates this subsection commits a civil violation for which a fine of not more than \$100 may be adjudged. This subsection may not be construed to shield any person from federal prosecution. This subsection may not be construed to allow any person to possess or consume marijuana on federal property.

**7. Possession of certain edibles.** Notwithstanding subsection 1, until February 1, 2018, a person may not possess edible retail marijuana products. This subsection does not apply to marijuana products purchased for medical use pursuant to Title 22, chapter 558-C.

**Sec. 17. 7 MRSA §2453, sub-§4** is enacted to read:

**4. Effective date.** This section takes effect February 1, 2018.

**Sec. 18. 7 MRSA §2454, sub-§5** is enacted to read:

**5. Effective date.** This section takes effect February 1, 2018.

**Sec. 19. 15 MRSA §3103, sub-§1, ¶B**, as amended by PL 2011, c. 464, §3, is further amended to read:

B. Offenses involving illegal drugs or drug paraphernalia as follows:

(1) The possession of a useable amount of marijuana, as provided in Title 22, section 2383, subsection 1-A, unless the juvenile is authorized to possess marijuana for medical use pursuant to Title 22, chapter 558-C;

(2) The use or possession of drug paraphernalia as provided in Title 17-A, section 1111-A, subsection 4-B; and

(3) Illegal transportation of drugs by a minor as provided in Title 22, section 2389, subsection 2;

**Sec. 20. 22 MRSA §2383, sub-§1-A** is enacted to read:

**1-A. Marijuana possession by a person under 21 years of age.** Except for possession of marijuana for medical use pursuant to chapter 558-C, a person who is under 21 years of age may not possess marijuana. A person who is 18, 19 or 20 years of age who possesses a useable 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. For the purposes of this section, marijuana has the same meaning as in Title 17-A, section 1101, subsection 1.

**Sec. 21. 36 MRSA §1817, sub-§8** is enacted to read:

**8. Effective date.** This section takes effect February 1, 2018.

**Sec. 22. Retroactivity.** This Act applies retroactively to January 30, 2017.

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

Effective January 27, 2017.

**CHAPTER 2  
S.P. 88 - L.D. 302**

**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, 2017**

**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**

**Administration - Human Resources 0038**

Initiative: Transfers one Public Service Coordinator I position from the Public Improvements - Planning/Construction - Administration program to the Administration - Human Resources program within the same fund to realign department resources to areas of greatest need. The employee retains all rights as a classified employee as well as all accrued fringe benefits, includ-

ing but not limited to vacation and sick leave, health and life insurances and retirement benefits.

GENERAL FUND	2016-17	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	0.000	0.000
Personal Services	\$59,894	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$59,894</b>	<b>\$0</b>	<b>\$0</b>

**Maine Board of Tax Appeals Z146**

Initiative: Provides funding for the approved reorganization of one Office Associate II position to an Office Specialist I position and transfers All Other to Personal Services to fund the reorganization.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$2,645	\$0	\$0
All Other	(\$2,645)	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

Initiative: Transfers one Public Service Coordinator I position from the Public Improvements - Planning/Construction - Administration program to the Administration - Human Resources program within the same fund to realign department resources to areas of greatest need. The employee retains all rights as a classified employee as well as all accrued fringe benefits, including but not limited to vacation and sick leave, health and life insurances and retirement benefits.

GENERAL FUND	2016-17	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	0.000	0.000
Personal Services	(\$59,894)	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>(\$59,894)</b>	<b>\$0</b>	<b>\$0</b>

**Revenue Services, Bureau of 0002**

Initiative: Provides funding for the approved reclassification of 2 Management Analyst II positions to Business Systems Administrator positions, one Business Systems Administrator position to a Business Systems Manager position, one Planning and Research Associate II position to a Business Systems Quality Assurance Manager position, one Senior Tax Exam-

iner position to a Taxation Section Manager position and one Tax Examiner position to a Management Analyst I position and transfers All Other to Personal Services to fund the reclassifications.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$65,359	\$0	\$0
All Other	(\$65,359)	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Risk Management - Claims 0008**

Initiative: Provides funding for the reorganization of one Office Assistant II position to an Office Associate II position and transfers All Other to Personal Services to fund the reorganization.

RISK MANAGEMENT FUND	2016-17	2017-18	2018-19
Personal Services	\$573	\$0	\$0
All Other	(\$573)	\$0	\$0
<b>RISK MANAGEMENT FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS**

	2016-17	2017-18	2018-19
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>RISK MANAGEMENT FUND</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Enforcement Fund program, Other Special Revenue Funds account to the Division of Quality Assurance and Regulation program, Federal Expenditures Fund account and increases All Other funding in the Division of Quality Assurance and Regulation program, Federal Expenditures Fund account for the United States FDA, Food Safety Modernization Act program.

OTHER SPECIAL REVENUE FUNDS	2016-17	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(3,000)	0.000	0.000
Personal Services	(\$225,702)	\$0	\$0
All Other	(\$109,518)	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$335,220)</b>	<b>\$0</b>	<b>\$0</b>

**Division of Quality Assurance and Regulation 0393**

Initiative: Transfers one Office Specialist I position and 2 Consumer Protection Inspector positions and related All Other funding from the Beverage Container Enforcement Fund program, Other Special Revenue Funds account to the Division of Quality Assurance and Regulation program, Federal Expenditures Fund account and increases All Other funding in the Division of Quality Assurance and Regulation program, Federal Expenditures Fund account for the United States FDA, Food Safety Modernization Act program.

FEDERAL EXPENDITURES FUND	2016-17	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3,000	0.000	0.000
Personal Services	\$225,702	\$0	\$0
All Other	\$269,227	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$494,929</b>	<b>\$0</b>	<b>\$0</b>

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF DEPARTMENT TOTALS**

	2016-17	2017-18	2018-19
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$494,929</b>	<b>\$0</b>	<b>\$0</b>

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

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

**Beverage Container Enforcement Fund 0971**

Initiative: Transfers one Office Specialist I position and 2 Consumer Protection Inspector positions and related All Other funding from the Beverage Container

OTHER SPECIAL REVENUE FUNDS	(\$335,220)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$159,709	\$0	\$0

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

**ATTORNEY GENERAL, DEPARTMENT OF THE**

**Chief Medical Examiner - Office of 0412**

Initiative: Provides funding for toxicology screenings related to autopsies performed by pathologists.

GENERAL FUND	2016-17	2017-18	2018-19
All Other	\$150,000	\$0	\$0
GENERAL FUND TOTAL	\$150,000	\$0	\$0

**Chief Medical Examiner - Office of 0412**

Initiative: Provides funding for the after-hours telephone answering service contract with the Office of the Chief Medical Examiner.

GENERAL FUND	2016-17	2017-18	2018-19
All Other	\$35,000	\$0	\$0
GENERAL FUND TOTAL	\$35,000	\$0	\$0

**Chief Medical Examiner - Office of 0412**

Initiative: Provides funding for the approved range change of 2 Medical Examiner Assistant positions from range 16 to range 19.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$20,548	\$0	\$0
GENERAL FUND TOTAL	\$20,548	\$0	\$0

**Chief Medical Examiner - Office of 0412**

Initiative: Provides funding for the approved range change of one Senior Forensic Medicine Technician position from range 19 to range 22.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$17,213	\$0	\$0

GENERAL FUND TOTAL	\$17,213	\$0	\$0
ATTORNEY GENERAL, DEPARTMENT OF THE			
DEPARTMENT TOTALS	2016-17	2017-18	2018-19
GENERAL FUND	\$222,761	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$222,761	\$0	\$0

**Sec. A-4. 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: Reallocates the cost of one Adjutant General position and one Deputy Commissioner, Defense, Veterans and Emergency Management position from 83.5% General Fund in the Administration - Defense, Veterans and Emergency Management program and 16.5% Federal Expenditures Fund in the Administration - Maine Emergency Management Agency program to 100% General Fund in the Administration - Defense, Veterans and Emergency Management program.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$35,298	\$0	\$0
GENERAL FUND TOTAL	\$35,298	\$0	\$0

**Administration - Defense, Veterans and Emergency Management 0109**

Initiative: Reallocates technology costs for the Deputy Commissioner, Defense, Veterans and Emergency Management from 100% Federal Expenditures Fund in the Administration - Maine Emergency Management Agency program to 100% General Fund in the Administration - Defense, Veterans and Emergency Management program.

GENERAL FUND	2016-17	2017-18	2018-19
All Other	\$5,000	\$0	\$0

GENERAL FUND	\$5,000	\$0	\$0
TOTAL			

**Administration - Maine Emergency Management Agency 0214**

Initiative: Provides funding for the approved reorganization of one Contract/Grant Specialist position to a Senior Contract/Grant Specialist position.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$839	\$0	\$0

GENERAL FUND	\$839	\$0	\$0
TOTAL			

FEDERAL EXPENDITURES FUND	2016-17	2017-18	2018-19
Personal Services	\$1,704	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$1,704	\$0	\$0

**Administration - Maine Emergency Management Agency 0214**

Initiative: Provides funding for the proposed reorganization of one Planning and Research Assistant position to a Contract/Grant Specialist position.

FEDERAL EXPENDITURES FUND	2016-17	2017-18	2018-19
Personal Services	\$446	\$0	\$0

FEDERAL EXPENDITURES FUND TOTAL	\$446	\$0	\$0
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**Administration - Maine Emergency Management Agency 0214**

Initiative: Reallocates the cost of one Adjutant General position and one Deputy Commissioner, Defense, Veterans and Emergency Management position from 83.5% General Fund in the Administration - Defense, Veterans and Emergency Management program and 16.5% Federal Expenditures Fund in the Administration - Maine Emergency Management Agency program to 100% General Fund in the Administration - Defense, Veterans and Emergency Management program.

FEDERAL EXPENDITURES FUND	2016-17	2017-18	2018-19
Personal Services	(\$35,298)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$35,298)	\$0	\$0

**Administration - Maine Emergency Management Agency 0214**

Initiative: Reallocates technology costs for the Deputy Commissioner, Defense, Veterans and Emergency Management from 100% Federal Expenditures Fund in the Administration - Maine Emergency Management Agency program to 100% General Fund in the Administration - Defense, Veterans and Emergency Management program.

FEDERAL EXPENDITURES FUND	2016-17	2017-18	2018-19
All Other	(\$5,000)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$5,000)	\$0	\$0

**Disaster Assistance 0841**

Initiative: Provides one-time funding for the State's share of disaster assistance resulting from the January 26-28, 2015 blizzard, which affected York, Cumberland, Sagadahoc and Androscoggin counties.

GENERAL FUND	2016-17	2017-18	2018-19
All Other	\$524,151	\$0	\$0
GENERAL FUND TOTAL	\$524,151	\$0	\$0

**Military Training and Operations 0108**

Initiative: Provides funding to raise the recruitment and retention stipend of the High Voltage Electrician Supervisor position from 3% to 20%.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$877	\$0	\$0
GENERAL FUND TOTAL	\$877	\$0	\$0

FEDERAL EXPENDITURES FUND	2016-17	2017-18	2018-19
Personal Services	\$2,853	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,853</b>	<b>\$0</b>	<b>\$0</b>

**Military Training and Operations 0108**

Initiative: Provides funding for the approved reorganization of one Maintenance Mechanic position to a Building Mechanical Systems Specialist position.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$344	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$344</b>	<b>\$0</b>	<b>\$0</b>

FEDERAL EXPENDITURES FUND	2016-17	2017-18	2018-19
Personal Services	\$1,030	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,030</b>	<b>\$0</b>	<b>\$0</b>

**Military Training and Operations 0108**

Initiative: Provides funding for the approved reorganization of one Office Associate II position to a Secretary Associate position.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$324	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$324</b>	<b>\$0</b>	<b>\$0</b>

FEDERAL EXPENDITURES FUND	2016-17	2017-18	2018-19
Personal Services	\$1,294	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,294</b>	<b>\$0</b>	<b>\$0</b>

**Military Training and Operations 0108**

Initiative: Provides funding to raise the recruitment and retention stipend of the High Voltage Electrician positions from 3% to 20%.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$3,968	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$3,968</b>	<b>\$0</b>	<b>\$0</b>

FEDERAL EXPENDITURES FUND	2016-17	2017-18	2018-19
Personal Services	\$4,026	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$4,026</b>	<b>\$0</b>	<b>\$0</b>

**Military Training and Operations 0108**

Initiative: Provides funding for the approved reclassification of one Plumber II position to a Building Mechanical System Specialist position.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$24,524	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$24,524</b>	<b>\$0</b>	<b>\$0</b>

**Military Training and Operations 0108**

Initiative: Provides funding for the approved reclassification of one Environmental Specialist II position to an Environmental Specialist III position retroactive to August 2014.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$4,703	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$4,703</b>	<b>\$0</b>	<b>\$0</b>

FEDERAL EXPENDITURES FUND	2016-17	2017-18	2018-19
Personal Services	\$13,659	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$13,659</b>	<b>\$0</b>	<b>\$0</b>

**Military Training and Operations 0108**

Initiative: Eliminates 4 vacant positions and related All Other costs as the STARBASE program ended in federal fiscal year 2014.

FEDERAL EXPENDITURES FUND	2016-17	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(4,000)	0.000	0.000
Personal Services	(\$309,809)	\$0	\$0
All Other	(\$49,150)	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$358,959)</b>	<b>\$0</b>	<b>\$0</b>

**Military Training and Operations 0108**

Initiative: Eliminates 8 vacant Military Security Police Officer positions.

FEDERAL EXPENDITURES FUND	2016-17	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(8,000)	0.000	0.000
Personal Services	(\$112,954)	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$112,954)</b>	<b>\$0</b>	<b>\$0</b>

**Veterans Services 0110**

Initiative: Provides funding for the approved reorganization of one Office Associate II Supervisor position to an Office Specialist I Manager Supervisor position.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$4,651	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$4,651</b>	<b>\$0</b>	<b>\$0</b>

**Veterans Services 0110**

Initiative: Provides funding for the approved reorganization of 2 Office Associate II positions to Office Specialist I positions.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$2,994	\$0	\$0

GENERAL FUND TOTAL	2016-17	2017-18	2018-19
	\$2,994	\$0	\$0

**Veterans Services 0110**

Initiative: Provides funding for the approved reorganization of one Office Associate II position to an Office Specialist I position.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$4,186	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$4,186</b>	<b>\$0</b>	<b>\$0</b>

**Veterans Services 0110**

Initiative: Provides funding for the approved range change of one Supervisor Veterans Services position from range 26 to range 29.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$2,964	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$2,964</b>	<b>\$0</b>	<b>\$0</b>

**Veterans Services 0110**

Initiative: Provides funding in the Veterans Services program in order to provide aid to veterans and their dependents as authorized by the Maine Revised Statutes, Title 37-B, section 505.

GENERAL FUND	2016-17	2017-18	2018-19
All Other	\$375,000	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$375,000</b>	<b>\$0</b>	<b>\$0</b>

**DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF DEPARTMENT TOTALS**

GENERAL FUND	2016-17	2017-18	2018-19
	\$989,823	\$0	\$0
<b>FEDERAL EXPENDITURES FUND</b>	<b>(\$487,199)</b>	<b>\$0</b>	<b>\$0</b>

<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$502,624</b>	<b>\$0</b>	<b>\$0</b>
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**Sec. A-5. Appropriations and allocations.**

The following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF**

**Learning Systems Team Z081**

Initiative: Provides funding for the approved reorganization of one Education Specialist II position to an Education Specialist III position and transfers All Other to Personal Services to fund the reorganization.

<b>GENERAL FUND</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$24,451	\$0	\$0
All Other	(\$24,451)	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Learning Systems Team Z081**

Initiative: Reorganizes one Education Specialist III position to a Public Service Manager II position and transfers All Other to Personal Services to fund the reorganization.

<b>GENERAL FUND</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$2,461	\$0	\$0
All Other	(\$2,461)	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**School Finance and Operations Z078**

Initiative: Reduces funding to align allocations with projected resources as grant funding is no longer available.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$150,000)	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$150,000)</b>	<b>\$0</b>	<b>\$0</b>

**EDUCATION, DEPARTMENT OF**

<b>DEPARTMENT TOTALS</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>(\$150,000)</b>	<b>\$0</b>	<b>\$0</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(\$150,000)</b>	<b>\$0</b>	<b>\$0</b>

**Sec. A-6. Appropriations and allocations.**

The following appropriations and allocations are made.

**EFFICIENCY MAINE TRUST**

**Efficiency Maine Trust Z100**

Initiative: Provides funding for an increase in allocation in the Efficiency Maine Trust program to align with projected natural gas assessments.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$664,157	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$664,157</b>	<b>\$0</b>	<b>\$0</b>

**Sec. A-7. Appropriations and allocations.**

The following appropriations and allocations are made.

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

**Water Quality 0248**

Initiative: Reorganizes one Assistant Environmental Engineer position to an Environmental Engineer position and provides funding for related All Other costs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$4,161	\$0	\$0
All Other	\$151	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$4,312</b>	<b>\$0</b>	<b>\$0</b>

**Sec. A-8. Appropriations and allocations.**

The following appropriations and allocations are made.

**FOUNDATION FOR BLOOD RESEARCH**

**ScienceWorks for ME 0908**

Initiative: Reduces funding to eliminate the Science-Works for ME program.

GENERAL FUND	2016-17	2017-18	2018-19
All Other	(\$52,175)	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>(\$52,175)</b>	<b>\$0</b>	<b>\$0</b>

**Sec. A-9. Appropriations and allocations.**

The following appropriations and allocations are made.

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

**Long Term Care - Office of Aging and Disability Services 0420**

Initiative: Transfers funding related to a rate increase for personal care and related services pursuant to Resolve 2015, chapter 83 from the Office of Aging and Disability Services Central Office program to the Long Term Care - Office of Aging and Disability Services program.

GENERAL FUND	2016-17	2017-18	2018-19
All Other	\$1,226,400	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$1,226,400</b>	<b>\$0</b>	<b>\$0</b>

**Office of Aging and Disability Services Central Office 0140**

Initiative: Transfers funding related to a rate increase for personal care and related services pursuant to Resolve 2015, chapter 83 from the Office of Aging and Disability Services Central Office program to the Long Term Care - Office of Aging and Disability Services program.

GENERAL FUND	2016-17	2017-18	2018-19
All Other	(\$1,226,400)	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>(\$1,226,400)</b>	<b>\$0</b>	<b>\$0</b>

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

**DEPARTMENT TOTALS**

GENERAL FUND	\$0	\$0	\$0
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Sec. A-10. Appropriations and allocations.**

The following appropriations and allocations are made.

**HUMAN RIGHTS COMMISSION, MAINE**

**Human Rights Commission - Regulation 0150**

Initiative: Provides funding to align allocations with available resources.

FEDERAL EXPENDITURES FUND	2016-17	2017-18	2018-19
All Other	\$171,276	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$171,276</b>	<b>\$0</b>	<b>\$0</b>

**Human Rights Commission - Regulation 0150**

Initiative: Provides funding for the approved reclassification of one Public Service Coordinator I position to a Public Service Manager II position.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$10,513	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$10,513</b>	<b>\$0</b>	<b>\$0</b>
FEDERAL EXPENDITURES FUND	2016-17	2017-18	2018-19
Personal Services	\$5,414	\$0	\$0
All Other	\$444	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$5,858</b>	<b>\$0</b>	<b>\$0</b>

**Human Rights Commission - Regulation 0150**

Initiative: Provides funding for the approved reorganization of one Office Associate II position, one Office Associate II - Supervisor position and one Paralegal Assistant position to 3 Secretary Associate Legal positions.

GENERAL FUND	2016-17	2017-18	2018-19
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Personal Services	\$989	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$989</b>	<b>\$0</b>	<b>\$0</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$920	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$920</b>	<b>\$0</b>	<b>\$0</b>

**Human Rights Commission - Regulation 0150**

Initiative: Provides funding for an increase in the cost of mediation services.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$17,950	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$17,950</b>	<b>\$0</b>	<b>\$0</b>

**Human Rights Commission - Regulation 0150**

Initiative: Provides funding to cover the costs of renting space to hold monthly public hearings.

<b>GENERAL FUND</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,500	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$1,500</b>	<b>\$0</b>	<b>\$0</b>

**HUMAN RIGHTS COMMISSION, MAINE**

<b>DEPARTMENT TOTALS</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	<b>\$13,002</b>	<b>\$0</b>	<b>\$0</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$178,054</b>	<b>\$0</b>	<b>\$0</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$17,950</b>	<b>\$0</b>	<b>\$0</b>

<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$209,006</b>	<b>\$0</b>	<b>\$0</b>
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**Sec. A-11. Appropriations and allocations.**  
The following appropriations and allocations are made.

**INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF Fisheries and Hatcheries Operations 0535**

Initiative: Provides funding to construct water supply pipelines and update water treatment equipment at the Casco fish hatchery.

<b>GENERAL FUND</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Capital Expenditures	\$1,800,000	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$1,800,000</b>	<b>\$0</b>	<b>\$0</b>

**Fisheries and Hatcheries Operations 0535**

Initiative: Provides funding to construct water supply pipelines at the Grand Lake Stream fish hatchery.

<b>GENERAL FUND</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Capital Expenditures	\$2,980,000	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$2,980,000</b>	<b>\$0</b>	<b>\$0</b>

**INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**

<b>DEPARTMENT TOTALS</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	<b>\$4,780,000</b>	<b>\$0</b>	<b>\$0</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$4,780,000</b>	<b>\$0</b>	<b>\$0</b>

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

**JUDICIAL DEPARTMENT**

**Courts - Supreme, Superior and District 0063**

Initiative: Provides funding for the reorganization of one Division Supervisor I position to a Division Supervisor II position, one Assistant Clerk position to a Financial Clerk position, 5 Deputy Marshal positions to Corporal positions, one Administrative Clerk position to a Division Supervisor I position and one Senior Service Center Associate position to a Service Center Supervisor position.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$36,682	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$36,682</b>	<b>\$0</b>	<b>\$0</b>

**Sec. A-13. Appropriations and allocations.**

The following appropriations and allocations are made.

**MARINE RESOURCES, DEPARTMENT OF**

**Marine Patrol - Bureau of 0029**

Initiative: Provides funding for increased fees from the Department of Public Safety for dispatch services.

GENERAL FUND	2016-17	2017-18	2018-19
All Other	\$21,142	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$21,142</b>	<b>\$0</b>	<b>\$0</b>

**Sec. A-14. Appropriations and allocations.**

The following appropriations and allocations are made.

**PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

**Office of Securities 0943**

Initiative: Provides funding for the approved reorganization of one Securities Examiner In-charge position to a Public Service Manager II position and related STA-CAP charges.

OTHER SPECIAL REVENUE FUNDS	2016-17	2017-18	2018-19
Personal Services	\$3,496	\$0	\$0
All Other	\$57	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$3,553</b>	<b>\$0</b>	<b>\$0</b>

**Sec. A-15. Appropriations and allocations.**

The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF**

**Administration - Public Safety 0088**

Initiative: Provides funding for the approved reorganization of one Public Service Executive II position from range 34 to range 36.

OTHER SPECIAL REVENUE FUNDS	2016-17	2017-18	2018-19
Personal Services	\$2,373	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,373</b>	<b>\$0</b>	<b>\$0</b>

**Capitol Police - Bureau of 0101**

Initiative: Provides funding for the increased cost in the monthly lease of 3 vehicles that were upgraded to newer models, and one vehicle that had a change in rates.

GENERAL FUND	2016-17	2017-18	2018-19
All Other	\$10,834	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$10,834</b>	<b>\$0</b>	<b>\$0</b>

**Capitol Police - Bureau of 0101**

Initiative: Provides funding for the approved reclassification of one Capitol Police Sergeant position to a Capitol Police Lieutenant position retroactive to June 2014.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$33,328	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$33,328</b>	<b>\$0</b>	<b>\$0</b>

**Computer Crimes 0048**

Initiative: Provides funding for the approved range change of one Computer Forensic Analyst position from range 25 to range 27 retroactive to January 2015.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$13,189	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$13,189</b>	<b>\$0</b>	<b>\$0</b>

**Highway Safety DPS 0457**

Initiative: Provides funding for the approved reorganization of one Office Associate II position to a Senior Contract/Grant Specialist position.

FEDERAL EXPENDITURES FUND	2016-17	2017-18	2018-19
Personal Services	\$3,867	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$3,867</b>	<b>\$0</b>	<b>\$0</b>

**State Police 0291**

Initiative: Provides funding for the approved range change of one Computer Forensic Analyst position from range 25 to range 27 retroactive to January 2015.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$8,902	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$8,902</b>	<b>\$0</b>	<b>\$0</b>

**State Police 0291**

Initiative: Provides funding for the approved reclassification of one Forensic Technician position to a Forensic Chemist Technician position retroactive to July 2014.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$3,993	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$3,993</b>	<b>\$0</b>	<b>\$0</b>

**PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS**

	2016-17	2017-18	2018-19
<b>GENERAL FUND</b>	<b>\$70,246</b>	<b>\$0</b>	<b>\$0</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$3,867</b>	<b>\$0</b>	<b>\$0</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$2,373</b>	<b>\$0</b>	<b>\$0</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$76,486</b>	<b>\$0</b>	<b>\$0</b>

**Sec. A-16. Appropriations and allocations.**

The following appropriations and allocations are made.

**RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES**

**Retirement System - Retirement Allowance Fund 0085**

Initiative: Provides funding for the unfunded liability costs associated with the Maine Community College System.

GENERAL FUND	2016-17	2017-18	2018-19
All Other	\$13,990,596	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$13,990,596</b>	<b>\$0</b>	<b>\$0</b>

**Sec. A-17. Appropriations and allocations.**

The following appropriations and allocations are made.

**SECRETARY OF STATE, DEPARTMENT OF Administration - Archives 0050**

Initiative: Provides funding for the approved management-initiated range changes of one Archivist I position from range 14 to range 16, one Archivist II position from range 17 to range 19 and one Archivist III position from range 20 to range 23.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$4,497	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$4,497</b>	<b>\$0</b>	<b>\$0</b>

**Bureau of Administrative Services and Corporations 0692**

Initiative: Provides funding for the approved reorganization of 4 Customer Representative Associate II positions to Customer Representative Specialist - Corporate positions.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$951	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$951</b>	<b>\$0</b>	<b>\$0</b>

OTHER SPECIAL REVENUE FUNDS	2016-17	2017-18	2018-19
Personal Services	\$278	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$278</b>	<b>\$0</b>	<b>\$0</b>

**Bureau of Administrative Services and Corporations 0692**

Initiative: Provides funding for the approved reorganization of one Management Analyst I position to an Elections Coordinator position and increases the hours from 40 hours to 80 hours biweekly.

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$8,549	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$8,549</b>	<b>\$0</b>	<b>\$0</b>

**Bureau of Administrative Services and Corporations 0692**

Initiative: Provides one-time funding to conduct the referendum election in June 2017 for the bond issue authorized by Public Law 2015, chapter 479.

GENERAL FUND	2016-17	2017-18	2018-19
All Other	\$155,000	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$155,000</b>	<b>\$0</b>	<b>\$0</b>

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

	2016-17	2017-18	2018-19
<b>GENERAL FUND</b>	<b>\$168,997</b>	<b>\$0</b>	<b>\$0</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$278</b>	<b>\$0</b>	<b>\$0</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$169,275</b>	<b>\$0</b>	<b>\$0</b>

**Sec. A-18. Appropriations and allocations.**

The following appropriations and allocations are made.

**UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE**

**Educational and General Activities - UMS 0031**

Initiative: Provides funding to maintain the University of Maine System's in-state tuition freeze in fiscal year 2016-17. Also provides funding for pest management and pesticide safety outreach and education and for testing of ticks provided by the public and certain other laboratory operations at the University of Maine

Cooperative Extension's animal and plant disease and insect control laboratory.

GENERAL FUND	2016-17	2017-18	2018-19
All Other	\$5,050,000	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$5,050,000</b>	<b>\$0</b>	<b>\$0</b>

**Educational and General Activities - UMS 0031**

Initiative: Provides funding for the expansion of the early college program.

GENERAL FUND	2016-17	2017-18	2018-19
All Other	\$2,000,000	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$2,000,000</b>	<b>\$0</b>	<b>\$0</b>

**UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE DEPARTMENT TOTALS**

	2016-17	2017-18	2018-19
<b>GENERAL FUND</b>	<b>\$7,050,000</b>	<b>\$0</b>	<b>\$0</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$7,050,000</b>	<b>\$0</b>	<b>\$0</b>

**Sec. A-19. Appropriations and allocations.**

The following appropriations and allocations are made.

**WORKERS' COMPENSATION BOARD**

**Administration - Workers' Compensation Board 0183**

Initiative: Provides funding for the approved reorganization of one Office Assistant II position to a Secretary position.

OTHER SPECIAL REVENUE FUNDS	2016-17	2017-18	2018-19
Personal Services	\$1,047	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,047</b>	<b>\$0</b>	<b>\$0</b>

**Administration - Workers' Compensation Board 0183**

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

OTHER SPECIAL REVENUE FUNDS	2016-17	2017-18	2018-19
Personal Services	\$1,445	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,445</b>	<b>\$0</b>	<b>\$0</b>

**WORKERS' COMPENSATION BOARD**

DEPARTMENT TOTALS	2016-17	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS	\$2,492	\$0	\$0
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$2,492</b>	<b>\$0</b>	<b>\$0</b>

**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**

**Information Services 0155**

Initiative: Reclassifications

OFFICE OF INFORMATION SERVICES FUND	2016-17	2017-18	2018-19
Personal Services	\$83,349	\$0	\$0
All Other	(\$83,349)	\$0	\$0
<b>OFFICE OF INFORMATION SERVICES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Workers' Compensation Management Fund Program 0802**

Initiative: Reclassifications

**WORKERS' COMPENSATION MANAGEMENT FUND**

	2016-17	2017-18	2018-19
Personal Services	\$7,523	\$0	\$0
All Other	(\$7,523)	\$0	\$0

<b>WORKERS' COMPENSATION MANAGEMENT FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**DEPARTMENT TOTALS**

	2016-17	2017-18	2018-19
OFFICE OF INFORMATION SERVICES FUND	\$0	\$0	\$0
WORKERS' COMPENSATION MANAGEMENT FUND	\$0	\$0	\$0

<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

**Boating Facilities Fund Z226**

Initiative: Reclassifications

OTHER SPECIAL REVENUE FUNDS	2016-17	2017-18	2018-19
Personal Services	\$20,284	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$20,284</b>	<b>\$0</b>	<b>\$0</b>

**Certified Seed Fund 0787**

Initiative: Reclassifications

OTHER SPECIAL REVENUE FUNDS	2016-17	2017-18	2018-19
Personal Services	\$24,393	\$0	\$0
All Other	(\$24,393)	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0
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**Off-Road Recreational Vehicles Program Z224**

Initiative: Reclassifications

OTHER SPECIAL REVENUE FUNDS	2016-17	2017-18	2018-19
Personal Services	\$34,476	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$34,476	\$0	\$0
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**Parks - General Operations Z221**

Initiative: Reclassifications

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$3,894	\$0	\$0
All Other	(\$3,894)	\$0	\$0

GENERAL FUND TOTAL	\$0	\$0	\$0
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**Pesticides Control - Board of 0287**

Initiative: Reclassifications

OTHER SPECIAL REVENUE FUNDS	2016-17	2017-18	2018-19
Personal Services	\$17,596	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,596	\$0	\$0
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**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

DEPARTMENT TOTALS	2016-17	2017-18	2018-19
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GENERAL FUND	\$0	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$72,356	\$0	\$0

DEPARTMENT TOTAL - ALL FUNDS	\$72,356	\$0	\$0
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**AUDITOR, OFFICE OF THE STATE**

**Audit - Unorganized Territory 0075**

Initiative: Reclassifications

OTHER SPECIAL REVENUE FUNDS	2016-17	2017-18	2018-19
Personal Services	\$11,733	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,733	\$0	\$0
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**AUDITOR, OFFICE OF THE STATE**

DEPARTMENT TOTALS	2016-17	2017-18	2018-19
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OTHER SPECIAL REVENUE FUNDS	\$11,733	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	\$11,733	\$0	\$0
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**DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF**

**Military Training and Operations 0108**

Initiative: Reclassifications

FEDERAL EXPENDITURES FUND	2016-17	2017-18	2018-19
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Personal Services	\$3,714	\$0	\$0
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FEDERAL EXPENDITURES FUND TOTAL	\$3,714	\$0	\$0
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**DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF**

DEPARTMENT TOTALS	2016-17	2017-18	2018-19
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FEDERAL EXPENDITURES FUND	\$3,714	\$0	\$0
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<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$3,714</b>	<b>\$0</b>	<b>\$0</b>
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**EDUCATION, DEPARTMENT OF  
General Purpose Aid for Local Schools 0308**

Initiative: Reclassifications

<b>GENERAL FUND</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$7,784	\$0	\$0
All Other	(\$7,784)	\$0	\$0

<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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**Leadership Team Z077**

Initiative: Reclassifications

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$36,639	\$0	\$0
All Other	(\$36,639)	\$0	\$0

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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**Learning Systems Team Z081**

Initiative: Reclassifications

<b>FEDERAL EXPENDITURES FUND</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$36,310	\$0	\$0
All Other	(\$36,310)	\$0	\$0

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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**EDUCATION, DEPARTMENT OF  
DEPARTMENT TOTALS**

<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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**ENVIRONMENTAL PROTECTION, DEPARTMENT OF  
Maine Environmental Protection Fund 0421**

Initiative: Reclassifications

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$42,110	\$0	\$0
All Other	\$5,616	\$0	\$0

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$47,726</b>	<b>\$0</b>	<b>\$0</b>
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**Performance Partnership Grant 0851**

Initiative: Reclassifications

<b>FEDERAL EXPENDITURES FUND</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$51,473	\$0	\$0
All Other	\$1,865	\$0	\$0

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$53,338</b>	<b>\$0</b>	<b>\$0</b>
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**Remediation and Waste Management 0247**

Initiative: Reclassifications

<b>GENERAL FUND</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$13,235	\$0	\$0
All Other	(\$13,235)	\$0	\$0

<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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<b>FEDERAL EXPENDITURES FUND</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$12,991	\$0	\$0
All Other	\$471	\$0	\$0

FEDERAL EXPENDITURES FUND TOTAL	\$13,462	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$18,102	\$0	\$0
All Other	\$656	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$18,758</b>	<b>\$0</b>	<b>\$0</b>

**Water Quality 0248**

Initiative: Reclassifications

<b>GENERAL FUND</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$1,672	\$0	\$0
All Other	(\$1,672)	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$17,945	\$0	\$0
All Other	\$650	\$0	\$0

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$18,595</b>	<b>\$0</b>	<b>\$0</b>
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<b>ENVIRONMENTAL PROTECTION, DEPARTMENT OF DEPARTMENT TOTALS</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
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<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$66,800</b>	<b>\$0</b>	<b>\$0</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$85,079</b>	<b>\$0</b>	<b>\$0</b>
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<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$151,879</b>	<b>\$0</b>	<b>\$0</b>
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**PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

**Office of Securities 0943**

Initiative: Reclassifications

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$27,594	\$0	\$0
All Other	\$447	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$28,041</b>	<b>\$0</b>	<b>\$0</b>

**PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

<b>DEPARTMENT TOTALS</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$28,041</b>	<b>\$0</b>	<b>\$0</b>

<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$28,041</b>	<b>\$0</b>	<b>\$0</b>
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**PUBLIC SAFETY, DEPARTMENT OF**

**Emergency Medical Services 0485**

Initiative: Reclassifications

<b>FEDERAL EXPENDITURES FUND</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$15,896	\$0	\$0
All Other	\$265	\$0	\$0

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$16,161</b>	<b>\$0</b>	<b>\$0</b>
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**Emergency Medical Services 0485**

Initiative: Reclassifications

<b>GENERAL FUND</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$12,845	\$0	\$0
All Other	(\$12,845)	\$0	\$0

<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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**Emergency Medical Services 0485**

Initiative: Reclassifications

GENERAL FUND	2016-17	2017-18	2018-19
Personal Services	\$10,077	\$0	\$0
All Other	(\$10,077)	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>\$28,972</b>	<b>\$0</b>	<b>\$0</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$32,878</b>	<b>\$0</b>	<b>\$0</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$61,850</b>	<b>\$0</b>	<b>\$0</b>

**State Police 0291**

Initiative: Reclassifications

OTHER SPECIAL REVENUE FUNDS	2016-17	2017-18	2018-19
Personal Services	\$3,647	\$0	\$0
All Other	\$65	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$3,712</b>	<b>\$0</b>	<b>\$0</b>

SECTION TOTALS	2016-17	2017-18	2018-19
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$99,486</b>	<b>\$0</b>	<b>\$0</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$230,087</b>	<b>\$0</b>	<b>\$0</b>
<b>OFFICE OF INFORMATION SERVICES FUND</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>WORKERS' COMPENSATION MANAGEMENT FUND</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>SECTION TOTAL - ALL FUNDS</b>	<b>\$329,573</b>	<b>\$0</b>	<b>\$0</b>

**State Police 0291**

Initiative: Reclassifications

FEDERAL EXPENDITURES FUND	2016-17	2017-18	2018-19
Personal Services	\$12,587	\$0	\$0
All Other	\$224	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$12,811</b>	<b>\$0</b>	<b>\$0</b>

OTHER SPECIAL REVENUE FUNDS	2016-17	2017-18	2018-19
Personal Services	\$28,692	\$0	\$0
All Other	\$474	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$29,166</b>	<b>\$0</b>	<b>\$0</b>

**PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS**

<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
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**PART C**

**Sec. C-1. Continuation of limited-period positions.** Notwithstanding any other provision of law, all limited-period positions throughout State Government that are scheduled to expire during June 2017 are continued until August 1, 2017.

**PART D**

**Sec. D-1. Transfer to Maine Budget Stabilization Fund for fiscal year 2016-17.** On or before June 30, 2017, the State Controller shall transfer \$35,000,000 from the unappropriated surplus of the General Fund to the Maine Budget Stabilization Fund established in the Maine Revised Statutes, Title 5, section 1532.

**PART E**

**Sec. E-1. Carry balance; Department of Administrative and Financial Services, Bureau of Revenue Services.** Notwithstanding any other provision of law, the State Controller shall carry any remaining fiscal year 2016-17 balance of the \$300,000 one-time General Fund appropriation in the Depart-

ment of Administrative and Financial Services, Bureau of Revenue Services program for the updating of econometric database information used for revenue projections provided to the Revenue Forecasting Committee in Public Law 2015, chapter 267, Part A into fiscal year 2017-18 to be used for the same purpose.

### PART F

**Sec. F-1. 22 MRSA §3035, sub-§5**, as enacted by PL 1997, c. 598, §1, is amended to read:

**5. Deposit of fees.** All fees collected must be deposited in a nonlapsing dedicated account within the Office of Chief Medical Examiner. ~~At the end of each fiscal year, the State Controller shall transfer all unencumbered balances in excess of \$500 to the General Fund as undedicated revenue.~~

### PART G

**Sec. G-1. Use of balance.** Any balance remaining in the Fund for Women Veterans account in the Veterans Services program in the Department of Defense, Veterans and Emergency Management after June 30, 2015 may be used in fiscal year 2016-17 within the same program to partially fund additional costs of the "Internet Quorum Case Management" software for veterans services.

### PART H

**Sec. H-1. 12 MRSA §10251, sub-§4**, as amended by PL 2015, c. 267, Pt. MMM, §1, is further amended to read:

**4. Uses of fund.** Prior to July 1, 2010, the Treasurer of State continuously shall reinvest all earnings of the fund and may not authorize any payments from the fund or use any earnings of the fund, except those necessary to pay the costs of administering the fund. On July 1, 2010, and on July 1st of each year thereafter, the Treasurer of State shall transfer to the department an amount determined by the department, not to exceed 5% of the fund principal. Additional interest earned by the fund, if any, must be reinvested. ~~All funds received from the department under section 10851 and this section are subject to allocation by the Legislature. Unexpended balances from funds transferred to the department in any fiscal year may be carried forward to the next fiscal year to be used for the same purpose.~~

### PART I

**Sec. I-1. Transfer of funds; Department of Inland Fisheries and Wildlife carrying account.** On or before June 30, 2017, the State Controller shall transfer \$700,000 from the Department of Inland Fisheries and Wildlife, Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Fisheries and Hatcheries Operations program,

General Fund account to construct water supply pipelines and update water treatment equipment.

### PART J

**Sec. J-1. Department of Inland Fisheries and Wildlife, Fisheries and Hatcheries Operations program, General Fund Capital Expenditures balances authorized to carry.** Any Capital Expenditures line category balances remaining in the Department of Inland Fisheries and Wildlife, Fisheries and Hatcheries Operations program, General Fund account at the end of fiscal year 2016-17, after all financial commitments for other obligations and budgetary adjustments have been made, are to be carried forward in the Capital Expenditures line category in the Fisheries and Hatcheries Operations program to be used in fiscal year 2017-18 for the construction of water supply pipelines and updating of water treatment equipment.

### PART K

**Sec. K-1. Judicial Department; Personal Services balances transfer authorized.** Notwithstanding any other provision of law to the contrary, in fiscal year 2016-17, the Judicial Department is authorized to transfer available balances in the Personal Services line category of General Fund accounts in the Judicial Department, after all financial commitments for salary, benefits, other obligations and budgetary adjustments have been made, to the Capital Expenditures line category in the Courts - Supreme, Superior and District program, General Fund account in the Judicial Department to be used for the purpose of making capital improvements to judicial facilities in fiscal year 2016-17.

**Sec. K-2. Judicial Department; Personal Services balances authorized to carry.** Notwithstanding any other provision of law to the contrary, the Judicial Department is authorized to carry all fiscal 2016-17 year-end balances in the Personal Services line category of General Fund accounts in the Judicial Department, after all financial commitments for salary, benefits, other obligations and budgetary adjustments have been made, to the Capital Expenditures line category in the Courts - Supreme, Superior and District program, General Fund account in the Judicial Department to be used for the purpose of making capital improvements to judicial facilities in fiscal year 2017-18.

**Sec. K-3. Judicial Department; Capital Expenditures balance authorized to carry.** Notwithstanding any other provision of law to the contrary, the Judicial Department is authorized to carry any fiscal 2016-17 year-end balance in the Capital Expenditures line category in the Courts - Supreme, Superior and District program, General Fund account in the Judicial Department, after all financial commitments for other obligations and budgetary adjustments

have been made, to fiscal year 2017-18 in the Capital Expenditures line category in the Courts - Supreme, Superior and District program, General Fund account in the Judicial Department to be used for the purpose of making capital improvements to judicial facilities.

#### PART L

**Sec. L-1. Carrying provision; Department of the Secretary of State, Administration - Archives.** Notwithstanding any other provision of law to the contrary, the State Controller shall carry forward any unexpended balances in the Personal Services and All Other line categories in the Department of the Secretary of State, Administration - Archives program, General Fund account, after all financial commitments for salary, benefits, other obligations and budgetary adjustments have been made, at the end of fiscal year 2016-17 to the All Other line category for the 2017-18 fiscal year in the Department of the Secretary of State, Administration - Archives program to be used for converting original state department records to electronic formats to preserve and provide public access to state records.

#### PART M

**Sec. M-1. Carrying provision; Department of the Secretary of State, Bureau of Administrative Services and Corporations.** Notwithstanding any other provision of law to the contrary, the State Controller shall carry forward any unexpended balance in the All Other line category in the Department of the Secretary of State, Bureau of Administrative Services and Corporations program, after all financial commitments for other obligations and budgetary adjustments have been made, at the end of fiscal year 2016-17 to the All Other line category in fiscal year 2017-18 in the Department of the Secretary of State, Bureau of Administrative Services and Corporations program to be used to upgrade computer software.

#### PART N

**Sec. N-1. PL 1997, c. 763, §5** is amended to read:

**Sec. 5. Payment of retiree health insurance premiums.** The Maine ~~Technical Community College System shall make contributions toward payment of the unfunded liability costs and administrative costs to the Maine State Retirement System and payment of the retiree health insurance premiums to the Department of Administrative and Financial Services on behalf of Maine Technical Community College System employees~~ retirees who elect to participate in a defined contribution plan offered by the Board of Trustees of the Maine ~~Technical Community College System as provided in the Maine Revised Statutes, Title 20-A, section 12722, subsection 2 at the same percentage as the Maine Technical College Sys-~~

~~tem contributes on behalf of its employees who are active members of the retirement system.~~

**Sec. N-2. PL 1997, c. 763, §6** is repealed.

**Sec. N-3. Personal Services savings; transfer to General Fund undedicated revenue.** Notwithstanding the Maine Revised Statutes, Title 5, section 1582, subsection 4 or any other provision of law to the contrary, the State Controller is authorized to transfer the first \$13,990,596 of unexpended Personal Services appropriations that would otherwise lapse to the Salary Plan program in the Department of Administrative and Financial Services to the unappropriated surplus of the General Fund at the close of fiscal year 2016-17.

**Sec. N-4. General Fund Salary Plan; transfer to General Fund undedicated revenue.** Notwithstanding any other provision of law to the contrary, the State Controller is authorized to transfer up to \$13,990,596 from the Salary Plan program in the Department of Administrative and Financial Services to the unappropriated surplus of the General Fund at the close of fiscal year 2016-17 in the event that there is less than \$13,990,596 in unexpended Personal Services appropriations to transfer to the unappropriated surplus of the General Fund pursuant to section 3 of this Part.

#### PART O

**Sec. O-1. 5 MRSA §1523** is enacted to read:

##### **§1523. Maine Military Reserve Fund**

The Maine Military Reserve Fund, referred to in this section as "the fund," is established as a nonlapsing fund within the Department of Administrative and Financial Services. The fund receives funds allocated or transferred by the Legislature from the unappropriated surplus of the General Fund. The State Controller shall disburse funds in accordance with the provisions established for the operation of the Maine Military Authority in Title 37-B, section 393. At the close of any fiscal year, funds remaining in the fund that the State Controller has determined are not needed to support the operation of the Maine Military Authority may be transferred to the Maine Budget Stabilization Fund established under section 1532. The State Controller shall provide quarterly financial reports regarding the fund 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 the Maine Military Authority.

**Sec. O-2. Transfer from General Fund unappropriated surplus; Maine Military Reserve Fund.** Notwithstanding any other provision of law, the State Controller shall transfer \$7,000,000 from the General Fund unappropriated surplus to the Maine Military Reserve Fund, established under the

Maine Revised Statutes, Title 5, section 1523, within the Department of Administrative and Financial Services no later than June 30, 2017.

**PART P**

**Sec. P-1. Establishment of Opioid Health Home Program.** The Opioid Home Health Program, referred to in this Part as "the program," is established within the Department of Health and Human Services. The department shall determine criteria to allow a provider to qualify as an opioid health home and to obtain funding from the department. As used in this section, "opioid health home" means a provider of services based on an integrated care delivery model focused on whole-person treatment including, but not limited to, counseling, care coordination, medication-assisted treatment, peer support and medical consultation, for individuals who have been diagnosed with an opioid addiction and who are also:

1. Uninsured;
2. MaineCare members; or
3. Uninsured and MaineCare-eligible.

The department shall establish by emergency rule pursuant to section 5 of this Part the criteria for qualification as an opioid health home and the payment structure to support each qualified opioid health home.

**Sec. P-2. Report.** Within 30 days after the end of each quarter of a year beginning with the quarter commencing on April 1, 2017 and ending with the quarter commencing on April 1, 2018, the department shall provide to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services for the quarter immediately preceding the report the following information concerning the program:

1. The number of uninsured people who have received opioid health home services;
2. The number of MaineCare members who have received opioid health home services;
3. The amount of money spent by the department to provide opioid health home services to the uninsured;
4. The amount of money spent by the department to provide opioid health home services to MaineCare members;
5. A list of the providers of opioid health home services; and
6. Any barriers to implementation of the program or operational issues or problems identified with the program and proposed resolutions to those barriers, issues or problems.

**Sec. P-3. Funds may not be transferred.** Notwithstanding the Maine Revised Statutes, Title 5,

section 1585 or any other provision of law to the contrary, funding provided in this Part may not be transferred to any other appropriation or subdivision of an appropriation made by the Legislature.

**Sec. P-4. Funds may not lapse.** Notwithstanding the Maine Revised Statutes, Title 5, section 1589 or any other provision of law to the contrary, any unencumbered balance of appropriations contained in this Part remaining at the end of fiscal year 2016-17 may not lapse but must be carried forward to be used for the same purposes.

**Sec. P-5. Emergency rulemaking.** The Department of Health and Human Services may adopt emergency rules under the Maine Revised Statutes, Title 5, sections 8054 and 8073 as necessary to implement the provisions of this Part without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or general welfare.

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

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

**Office of Substance Abuse and Mental Health  
Services 0679**

Initiative: Provides one-time funds for uninsured patients to receive services through the Opioid Health Home Program.

GENERAL FUND	2016-17	2017-18	2018-19
All Other	\$2,000,000	\$0	\$0
<b>GENERAL FUND</b>	<b>\$2,000,000</b>	<b>\$0</b>	<b>\$0</b>
<b>TOTAL</b>			

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

DEPARTMENT	2016-17	2017-18	2018-19
<b>TOTALS</b>			
<b>GENERAL FUND</b>	<b>\$2,000,000</b>	<b>\$0</b>	<b>\$0</b>
<b>DEPARTMENT</b>	<b>\$2,000,000</b>	<b>\$0</b>	<b>\$0</b>
<b>TOTAL - ALL FUNDS</b>			

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

**Medical Care - Payments to Providers 0147**

Initiative: Provides one-time funds for MaineCare patients to receive services through the Opioid Health Home Program.

GENERAL FUND	2016-17	2017-18	2018-19
All Other	\$1,000,000	\$0	\$0
<hr/>			
GENERAL FUND TOTAL	\$1,000,000	\$0	\$0
FEDERAL EXPENDITURES FUND	2016-17	2017-18	2018-19
All Other	\$1,807,400	\$0	\$0
<hr/>			
FEDERAL EXPENDITURES FUND TOTAL	\$1,807,400	\$0	\$0
HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)			
DEPARTMENT TOTALS	2016-17	2017-18	2018-19
GENERAL FUND	\$1,000,000	\$0	\$0
FEDERAL EXPENDITURES FUND	\$1,807,400	\$0	\$0
<hr/>			
DEPARTMENT TOTAL - ALL FUNDS	\$2,807,400	\$0	\$0
SECTION TOTALS	2016-17	2017-18	2018-19
GENERAL FUND	\$3,000,000	\$0	\$0
FEDERAL EXPENDITURES FUND	\$1,807,400	\$0	\$0
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SECTION TOTAL - ALL FUNDS	\$4,807,400	\$0	\$0

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

Effective March 15, 2017.

**CHAPTER 3  
H.P. 5 - L.D. 3**

**An Act To Grant Plantations  
the Power To Control  
Consumer Fireworks**

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

**Whereas,** under current law plantations do not have the power to control consumer fireworks; and

**Whereas,** control of consumer fireworks by plantations is critical to protecting the environment and to fire safety; and

**Whereas,** control of consumer fireworks by plantations is necessary before the summer 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. 30-A MRSA §7051, sub-§11,** as enacted by PL 2007, c. 35, §3, is amended to read:

**11. Ordinances.** Chapter 141, but only with respect to animal control ordinances ~~and~~, subject to Title 7, section 3950, and the sale and use of consumer fireworks within the plantation, subject to Title 8, section 223-A.

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

Effective March 24, 2017.

**CHAPTER 4  
S.P. 16 - L.D. 37**

**An Act To Provide a Career  
and Technical Education  
Training Option for Plumbers**

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

**Sec. 1. 32 MRSA §3501, sub-§2, ¶B,** as amended by PL 2005, c. 520, §1, is further amended to read:

B. A minimum of 2,000 hours of work in the field of plumbing installations as a journeyman-in-training under the supervision of a licensed master plumber, as long as the work experience is obtained within 4 years of the date upon which the applicant was issued a journeyman-in-training license. A journeyman-in-training license must be issued upon sworn application to any person who has satisfactorily completed one academic year of instruction in plumbing at a board-approved technical college or community college or in a career and technical education program approved pursuant to Title 20-A, section 8306-B as a secondary student or in a registered Department of Labor joint apprenticeship program and who has obtained a passing grade, as determined by the board on the journeyman's examination.

**Sec. 2. 32 MRSA §3501, sub-§2-B**, as amended by PL 2003, c. 688, Pt. A, §38, is further amended to read:

**2-B. Journeyman-in-training.** The board may issue a journeyman-in-training license to a person who provides satisfactory evidence of completion of a plumbing course consisting of one year or 2 semesters at a board-approved technical college or community college, in a registered Department of Labor apprenticeship program or in a career and technical education program approved pursuant to Title 20-A, section 8306-B as a secondary student and who submits the required fee set under section 3501-B and evidence of having obtained a passing grade, as determined by the board, on the journeyman's examination. A journeyman-in-training license is valid for a single nonrenewable period of 4 years and may be issued only once to any individual.

See title page for effective date.

## CHAPTER 5

### S.P. 32 - L.D. 83

#### An Act Regarding Changing the Designation of a Parent on the Birth Certificate of an Adult

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

**Sec. 1. 22 MRSA §2705, sub-§6**, as enacted by PL 2003, c. 585, §1, is amended to read:

**6. Amendment of birth certificate of adult.** Amendment of a birth certificate ~~of birth~~ of a person 18 years of age or older born in this State for the purpose of identifying a biological parent who was not known or listed at the time of birth is governed by section ~~2767~~ 2767-A.

**Sec. 2. 22 MRSA §2767**, as enacted by PL 2003, c. 585, §2, is repealed.

**Sec. 3. 22 MRSA §2767-A** is enacted to read:

#### **§2767-A. Amendment of birth certificate of adult**

**1. Amendment of birth certificate.** The State Registrar of Vital Statistics shall amend the birth certificate of a person 18 years of age or older born in this State for the purpose of identifying a genetic parent who was not known or listed at the time of birth when the state registrar has received the following:

A. A signed, notarized request from the subject of the birth certificate that the birth certificate be amended;

B. Either the written, notarized consent of the genetic parent to be named on the amended birth certificate or a certified copy of the death certificate of the genetic parent to be named on the amended birth certificate; and

C. Evidence of genetic parentage based on testing of deoxyribonucleic acid, DNA, that includes:

(1) A notarized report of the results of the DNA testing; and

(2) Notarized documentation of the chain of custody of the blood and tissue samples examined in the testing.

The testing must be of a type generally acknowledged as reliable by accreditation bodies designated by the federal Secretary of Health and Human Services, and it must be performed by a laboratory approved by an accreditation body designated by the federal Secretary of Health and Human Services.

**2. Effect.** If the request submitted pursuant to subsection 1 does not contain the written, notarized consent of the genetic parent to be named on the amended birth certificate, amendment of the birth certificate pursuant to this section does not affect the rights of inheritance and descent. A birth certificate amended without the written, notarized consent of the genetic parent to be named on the amended birth certificate must contain the following words in a conspicuous place: "This birth certificate has been amended to identify a genetic parent not known or listed at the time of birth. This amendment does not affect the rights of inheritance or descent of the subject of the birth certificate."

See title page for effective date.

**CHAPTER 6**  
**H.P. 92 - L.D. 124**

**An Act To Make Changes to  
the Potato Marketing  
Improvement Fund**

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

**Sec. 1. 7 MRSA §974-A, sub-§1, ¶¶A and B,** as enacted by PL 1987, c. 319, §4, are amended to read:

A. No state loan for any project under this article, the total cost of which exceeds ~~\$50,000~~ \$150,000, may exceed 45% of the project cost and no state loan may be provided for such a project unless the applicant demonstrates a commitment of private funds of at least 10% of the total cost of the project, except that, in order to encourage the undertaking of cooperative projects by 2 or more farmers, no state loan for such a project may exceed 50% of the total cost of the project and no state loan may be provided unless the cooperating farmers as a group demonstrate a commitment of private funds of at least 5% of the total cost of the project.

B. No state loan for any project under this article, the total cost of which is ~~\$50,000~~ \$150,000 or less, may exceed 55% of the total cost of the project.

See title page for effective date.

**CHAPTER 7**  
**H.P. 119 - L.D. 161**

**An Act To Remove the  
Treasurer of State from the  
Maine Vaccine Board**

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

**Sec. 1. 22 MRSA §1066, sub-§3, ¶A,** as enacted by PL 2009, c. 595, §2, is amended to read:

A. The board consists of ~~10~~ 9 members.

(1) The commissioner shall serve as an ex officio, nonvoting member.

~~(2) The Treasurer of State shall serve as an ex officio, nonvoting member.~~

(3) The Governor shall appoint 8 members, as follows:

(a) Three representatives of health insurance carriers, appointed from a list of

nominees submitted by a statewide association of health insurance carriers;

(b) Three representatives of providers in the State, appointed from lists of nominees submitted by statewide associations of providers, including associations of primary care providers, allopathic and osteopathic physicians, nurse practitioners and persons with expertise in public health;

(c) A representative of employers that self-insure for health coverage, appointed from lists of nominees submitted by statewide associations of employers; and

(d) A representative of the pharmaceutical manufacturing industry, appointed from a list of nominees submitted by a statewide association of pharmaceutical manufacturers.

See title page for effective date.

**CHAPTER 8**  
**H.P. 127 - L.D. 171**

**An Act To Add the Air Medal  
as an Option for a Special  
Commemorative Decal on  
Special Veterans Registration  
Plates**

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

**Sec. 1. 29-A MRSA §523, sub-§5,** as amended by PL 2011, c. 22, §1, is further amended to read:

**5. Special commemorative decals for medals, badges or ribbons awarded.** The Secretary of State may issue special commemorative decals for use with special veterans registration plates to any person who served in the United States Armed Forces, was honorably discharged and was awarded a medal, badge or ribbon described in paragraphs A to ~~AA~~ BB when that person's application is accompanied by the appropriate military certification verifying that the medal, badge or ribbon was awarded to the applicant. One set of commemorative decals may be issued for each set of special veterans registration plates issued under this section. One set of 2 commemorative decals must be displayed on the front and back plates. The fee for a set of commemorative decals may not exceed \$5.

Special commemorative decals may be issued to applicants awarded the following medals, badges or ribbons:

A. Distinguished Service Cross;

- B. Navy Cross;
- C. Air Force Cross;
- D. Silver Star;
- E. Distinguished Flying Cross;
- F. Bronze Star;
- G. Soldier's Medal;
- H. Navy or Marine Corps Medal;
- I. Airman's Medal;
- J. Coast Guard Medal;
- K. Asiatic-Pacific Campaign Medal;
- L. European-African-Middle Eastern Campaign Medal;
- M. Korean Service Medal;
- N. Vietnam Service Medal;
- O. Southwest Asia Service Medal;
- P. Armed Forces Expeditionary Medal;
- Q. Kosovo Service Medal;
- R. Korea Defense Service Medal;
- S. Global War on Terrorism Medal;
- T. Iraq Campaign Medal;
- U. Afghanistan Campaign Medal;
- V. United States Army Combat Infantry Badge;
- W. United States Army Combat Medic Badge;
- X. United States Army Combat Action Badge;
- Y. United States Navy, Marine Corps or Coast Guard Combat Action Ribbon;
- Z. United States Air Force Combat Action Medal; ~~and~~
- AA. National Emergency Service Medal; and
- BB. Air Medal.

See title page for effective date.

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**CHAPTER 9**

**S.P. 80 - L.D. 236**

**An Act To Update Accessibility Requirements on Highways**

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

**Sec. 1. 23 MRSA §706**, as amended by PL 1987, c. 604, §§1 and 2, is further amended to read:

**§706. Curbs**

**1. Location or construction.** The Department of Transportation shall develop or approve standards for the location or construction of curbs on each side of a way in the business district or area as defined by the department; of any municipality for which curbs have been prescribed. ~~Prior to October 1, 1988, these standards shall be adopted in a form to fully implement the specifications in the American National Standards Institute publication "Specifications for Making Buildings and Facilities Accessible to and Usable by Physically Handicapped People" (ANSI A 117.1, 1986).~~

**2. Federal compliance.** Standards ~~set developed by the Department of Transportation~~ for curb ramping under subsection 1 ~~shall not apply to any existing curb on October 3, 1973; but shall apply, to the extent reasonable, to all new curb construction and to all replacement curbs constructed in order to allow reasonable access to crosswalks after that date and prior to October 1, 1988, and shall apply to any new construction or reconstruction commenced after October 1, 1988 must comply with applicable federal standards.~~

**3. ~~Physically handicapped; adequate ramping.~~** ~~Adequate and reasonable access shall be provided for the safe and convenient movement of physically handicapped persons, including those in wheelchairs, across curbs constructed or replaced on or after July 1, 1976, at all pedestrian crosswalks throughout the State.~~

See title page for effective date.

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**CHAPTER 10**

**S.P. 73 - L.D. 227**

**An Act To Exclude Cardboard Beverage Containers from the Laws Governing Returnable Beverage Containers**

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

**Sec. 1. 38 MRSA §3102, sub-§2**, as enacted by PL 2015, c. 166, §14, is amended to read:

**2. Beverage container.** "Beverage container" means a bottle, can, jar or other container made of glass, metal or plastic that has been sealed by a manufacturer and at the time of sale contains 4 liters or less of a beverage. "Beverage container" does not include a container composed, in whole or in part, of aluminum and plastic or aluminum and paper in combination as long as the aluminum content represents 10% or less of the unfilled container weight, the container materials represent 5% or less of the total weight of the container and its contents and the container is filled with a nonalcoholic beverage. "Beverage con-

tainer" does not include a container composed of cardboard in combination with a plastic liner.

See title page for effective date.

## CHAPTER 11

S.P. 96 - L.D. 308

### An Act To Prohibit Charging Maine Seniors Higher Automobile Insurance Premiums Based Solely on Their Age

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

Sec. 1. 24-A MRSA §2916, as enacted by PL 1973, c. 339, §1, is amended to read:

#### §2916. Automobile insurance, cancellation, nonrenewal and certain changes because of age, prohibited

~~No~~ An insurance company authorized to transact business in this State ~~shall~~ may not refuse to issue, cancel or ~~refuse to renew~~, reduce liability limits, ~~refuse to renew~~ for or increase the charge a higher premium of any automobile insurance for a policy of any kind whatsoever for the sole reason that ~~the~~ an applicant for coverage, a person to whom such policy has been issued or another insured driver has reached a certain age.

See title page for effective date.

## CHAPTER 12

H.P. 23 - L.D. 22

### An Act To Repeal the Requirement That Municipalities License Roller-skating Rinks

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

Sec. 1. 8 MRSA §601 is repealed.

See title page for effective date.

## CHAPTER 13

H.P. 31 - L.D. 30

### An Act To Amend the Law Governing Special Amusement Permits for Liquor Licensees

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

Sec. 1. 28-A MRSA §653, sub-§2, ¶D-1 is enacted to read:

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

Sec. 2. 28-A MRSA §1054, as amended by PL 1991, c. 377, §16, is further amended to read:

#### §1054. Permit for music, dancing or entertainment

~~1. Activities and entertainment prohibited. Without the permit described in subsection 2, no licensee for sale of liquor to be consumed on the premises may allow on the premises the following:~~

- ~~A. Any music, except radio or other mechanical device;~~
- ~~B. Any dancing; or~~
- ~~C. Entertainment of any sort.~~

2. Permit required. If A municipality or, in the case of an unincorporated place, the county commissioners may require a licensee for sale of liquor to be consumed on the premises provides activities or entertainment listed in subsection 1, the licensee must first to obtain a special amusement permit for music, dancing or entertainment from the municipality or, in the case of an unincorporated place, the county commissioners of the county in which the licensed premises are located. The permit must specify which activities are prohibited on the licensed premises and may include a list of which activities are authorized, in accordance with local ordinances or regulations adopted by the municipality or unincorporated place.

3. Term of permit. A permit is valid only for the license year of the existing license.

~~4. Public hearing on permit application. Before granting a permit and after reasonable notice to the municipality and the applicant, the municipal officers shall hold a public hearing at which the municipal officers shall take testimony of the applicant and any interested members of the public.~~

5. Permit requirements. The municipal officers shall grant a permit unless they find that issuance of the permit would be detrimental to the public health,

~~safety or welfare, or would violate municipal ordinances or rules and regulations.~~

**6. Issuance or denial of permit.** Within 15 days of receiving the permit application, the municipal officers shall give the applicant written notice of their decision.

A. If the municipal officers deny a licensee a permit, they shall provide the licensee with the reasons for the denial in writing.

B. The licensee may not reapply for a permit within 30 days after denial of an application for a permit.

**7. Municipal suspension or revocation of a permit.** After a public hearing preceded by notice to interested parties, the municipal officers may suspend or revoke any permits which they have issued under this section on the grounds that the music, dancing or entertainment permitted constitutes a detriment to the public health, safety or welfare, or violates municipal ordinances or regulations.

**8. Appeal procedure.** Any licensee who has applied for a permit and has been denied, or whose permit has been revoked or suspended, may appeal the decision to the municipal board of appeals, as defined in Title 30-A, section 2691, within 30 days of the denial, suspension or revocation. The municipal board of appeals, if the municipality has such a board, may grant or reinstate the permit if it finds that:

A. The permitted activities would not constitute a detriment to the public health, safety or welfare, or violate municipal ordinances or regulations; or

B. The denial, revocation or suspension was arbitrary and capricious.

~~**9. Admission.** A licensee who has been issued an amusement permit may charge admission in designated areas approved by the special amusement permit.~~

~~**10. Definition of entertainment.** For the purposes of this section, "entertainment" includes any amusement, performance, exhibition or diversion for patrons or customers of the licensed premises, whether provided by professional entertainers or by full-time or part-time employees of the licensee whose incidental duties include activities with an entertainment value.~~

**11. Municipal ordinances or regulations.** A municipality shall adopt ordinances or authorize the municipal officers to establish written regulations governing the following aspects of the permits.

A. These ordinances or regulations ~~shall~~ must govern:

(1) The issuance, suspension and revocation of these permits;

(2) The classes of permits and fees for the issuance of these permits;

(3) The music, dancing or entertainment permitted under each class; and

(4) Other limitations on these activities required to protect the public health, safety and welfare.

B. These ordinances or regulations may specifically determine:

(1) The location and size of premises to which the permits may apply;

(2) The facilities that may be required for the permitted activities on those premises;

(3) The hours during which the permitted activities may take place; and

(4) The lighting level required, which may be lowered when the entertainment is provided.

**12. Unincorporated place.** If a licensed ~~premise~~ is premises are located in an unincorporated place, the county commissioners of the county in which the unincorporated place is located shall grant, suspend or revoke permits in the same manner and with the same authority as municipal officers. The county commissioners shall adopt regulations in the same manner as municipal officers.

See title page for effective date.

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## CHAPTER 14

### S.P. 51 - L.D. 132

#### An Act To Authorize Podiatrists To Perform Certain Routine Procedures

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

**Sec. 1. 32 MRSA §3551, sub-§4,** as enacted by PL 1993, c. 600, Pt. A, §229, is amended to read:

**4. Practice of podiatric medicine.** "Practice of podiatric medicine" means the diagnosis and treatment of maladies of the human foot and ankle by medical, surgical or mechanical means. ~~Practice of podiatric medicine~~ "Practice of podiatric medicine" includes the performance of a history and physical on a podiatrist's preoperative patient and upon the patient's admission into a hospital or ambulatory surgical center. "Practice of podiatric medicine" includes the administration of local anesthesia in conjunction with the practice of podiatry. The use of general anesthesia is permitted in conjunction with the practice of podiatry when administered or supervised by a medical or osteopathic physician who assumes responsibility for the administra-

tion of that anesthesia to a patient being treated by a podiatrist.

See title page for effective date.

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## CHAPTER 15

S.P. 207 - L.D. 592

### An Act To Enable the Maine Employers' Mutual Insurance Company To Better Serve Maine Employers by Eliminating the High-risk Program

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

**Sec. 1. 24-A MRSA §3714, sub-§7**, as enacted by PL 2001, c. 350, §10, is repealed.

**Sec. 2. 24-A MRSA §3714, sub-§§8 and 9** are enacted to read:

**8. Filing of retrospective rating plans.** The board may file with the superintendent retrospective rating plans that, after hearing, may be imposed on an employer with a demonstrated record of repeated serious violations of workplace health and safety rules and regulations such as those adopted under Title 26, chapter 6 or 29 United States Code, Chapter 15, whichever is applicable.

**9. Availability of retrospective rating plans.** The board shall develop and file with the superintendent and, if not disapproved by the superintendent, make available to policyholders on a voluntary basis retrospective rating plans.

See title page for effective date.

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## CHAPTER 16

H.P. 59 - L.D. 72

### An Act To Clarify the Tax Laws for Title to Real Estate by Releasing Inheritance Tax Liens

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

**Sec. 1. 36 MRSA §175-A, sub-§5** is enacted to read:

**5. Inheritance tax.** Notwithstanding the other provisions of this Title, a lien for inheritance tax resulting from the operation of former section 3404 with

regard to real property of a decedent who died prior to July 1, 1986 is released.

See title page for effective date.

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## CHAPTER 17

S.P. 90 - L.D. 304

### An Act To Authorize Auxiliary Liquor Licenses at Disc Golf Courses

**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 opportunities associated with the sport of disc golf are limited to the seasons of summer and early fall; and

**Whereas**, delaying the opportunity for disc golf courses to provide full-service recreation means a loss of those economic opportunities and a loss of potential revenue to 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 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. 28-A MRSA §2, sub-§15, ¶F-1** is enacted to read:

F-1. "Disc golf course" means any commercially operated facility offering disc golfing to the general public for a fee, food for sale and adequate facilities for the sale and consumption of liquor. A disc golf course consists of no less than 18 disc holes with a total distance of no less than 5,000 feet per 18 disc holes and has a value of not less than \$50,000.

**Sec. 2. 28-A MRSA §1001, sub-§3, ¶F-1** is enacted to read:

F-1. Disc golf courses;

**Sec. 3. 28-A MRSA §1003, sub-§3, ¶F-1** is enacted to read:

F-1. Disc golf courses;

**Sec. 4. 28-A MRSA §1004, sub-§3, ¶F-1** is enacted to read:

F-1. Disc golf courses;

**Sec. 5. 28-A MRSA §1005, sub-§3, ¶F-1** is enacted to read:

F-1. Disc golf courses:

**Sec. 6. 28-A MRSA §1012, sub-§2**, as amended by PL 1995, c. 195, §1, is further amended to read:

**2. Auxiliary license.** A Class A restaurant or a Class I hotel located at a ski area ~~or~~ a golf course or a disc golf course, or a Class I golf club or a Class I or a Class V club located at a golf course or a disc golf course may apply for one additional licensed premises at the same area for consumption of spirits, wine or malt liquor on the premises.

A. The license fee is.....\$100.

**Sec. 7. 28-A MRSA §1012, sub-§4**, as amended by PL 2005, c. 108, §1, is further amended to read:

**4. Golf course or disc golf course mobile service bar.** A licensee who is the owner of a golf course or disc golf course may apply for a license to sell malt liquor from a mobile service bar as provided in section 1075-A. The license fee per calendar year is \$100.

**Sec. 8. 28-A MRSA §1075**, as amended by PL 2005, c. 108, §§2 and 3, is further amended to read:

**§1075. Auxiliary licenses at ski areas, golf courses and disc golf courses**

**1. Licenses.** The bureau may issue one auxiliary license under this section for additional premises to ~~any~~ a Class A restaurant or Class A restaurant/lounge, to a Class I hotel located at a ski area ~~or~~ golf course or disc golf course, ~~or~~ to a Class I golf club or to a Class I or Class V club located at a golf course or disc golf course, if the following requirements are met:

- A. The additional premises are located at the same ski area ~~or~~ golf course or disc golf course where the Class A restaurant, Class A restaurant/lounge, lounge, hotel, or qualified club is licensed;
- B. Food is for sale at the additional premises, although not necessarily prepared there;
- C. The additional premises are properly equipped, including tables, chairs and restrooms; and
- D. The Department of Health and Human Services licenses the additional premises.

**2. Sales for consumption on slopes or courses prohibited.** This section does not permit a ski area to sell liquor for consumption on the slopes away from the licensed area. Except as provided in section 1075-A, a golf course or disc golf course may not sell liquor for consumption on the course away from the licensed area.

**Sec. 9. 28-A MRSA §1075-A**, as amended by PL 2009, c. 472, §§1 to 3, is further amended to read:

**§1075-A. Golf course and disc golf course mobile service bar**

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

A. "Mobile service bar" means a golf cart or other similar vehicle staffed by an employee of the golf course or disc golf course and outfitted for storage, cooling or refrigeration and sale and service of malt liquor in cans or bottles.

**2. License.** The bureau may issue a license for a mobile service bar to a licensee who owns a golf course or disc golf course or may issue a license for a mobile service bar to a Class A restaurant, Class A restaurant/lounge or Class I hotel located at a golf course or disc golf course and to a golf course or disc golf course owner. The licensee shall ensure that:

- A. All individuals selling, serving or dispensing malt liquor from a mobile service bar are employees of the golf course or disc golf course, except as provided in subsection 2-A;
- B. The licensee does not possess or permit possession, sale or consumption of any malt liquor on the golf course or disc golf course other than that which is permitted and purchased by the licensee in accordance with the license or licenses granted;
- C. A sufficient number of employees are deployed to adequately control and ensure adherence to laws applying to the serving, sale and consumption of malt liquor on the golf course or disc golf course;
- D. Service or consumption of any liquor is not allowed in parking lots except as otherwise provided in this chapter;
- E. A licensee or licensee's employees do not allow patrons to leave the golf course or disc golf course with any liquor;
- F. Only one standard serving of malt liquor is served to an individual at a time;
- G. Signs are posted that state that a patron may not bring alcoholic beverages onto the premises of the golf course or disc golf course;
- H. Signs are placed on the mobile service bar that state that service or consumption of any liquor by a person under 21 years of age is prohibited;
- I. Malt liquor from a mobile service bar is purchased and consumed only by those patrons engaged in a round of golf or disc golf;
- J. The operator of a mobile service bar is at least 21 years of age and has successfully completed an alcohol server education course; and

K. The operator of a mobile service bar has the ability and necessary tools to immediately contact a golf course or disc golf course employee working at the part of the golf course or disc golf course licensed as an on-premises establishment or an employee of a Class A restaurant or Class A restaurant/lounge operating under a contract with a municipal golf course or disc golf course for assistance in enforcing the provisions of this section.

**2-A. Municipal golf course or disc golf course.** Notwithstanding subsection 2, paragraph A, employees of a Class A restaurant or Class A restaurant/lounge operating under a contract with a municipal golf course or disc golf course that does not have a license to serve alcoholic beverages may sell, serve or dispense malt liquor from a mobile service bar under the same conditions prescribed by subsection 2.

**3. Penalty.** A person who brings alcoholic beverages onto the premises of a golf course or disc golf course commits a civil violation for which a fine of not less than \$250 nor more than \$1,500 may be adjudged.

**4. Revocation and suspension of license.** A licensee who holds a license issued by the bureau under this section and any other licenses that that licensee holds to sell liquor for on-premises consumption are subject to chapter 33 to the same extent as are other on-premises licensees.

**5. Transportation of open containers prohibited.** A patron of a golf course or disc golf course licensed under this section who operates a golf cart is prohibited from transporting an open container of liquor across a public way as defined by Title 29-A, section 2112-A, subsection 1, paragraph D.

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

Effective April 12, 2017.

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## CHAPTER 18

### H.P. 8 - L.D. 7

#### An Act To Allow Conveyance of Land Previously Conveyed by the State to the Town of Bridgton

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

**Sec. 1.** PL 1981, c. 343, §2, as amended by PL 1985, c. 153, is further amended to read:

**Sec. 2. Conveyance of land in Bridgton authorized.** The Director of the Bureau of Public Lands is authorized to convey to the Town of Bridgton

by quitclaim deed all rights, title and interest of the State in the parcel of land situated in Bridgton which is described in Public Law, 1971, chapter 622, section 144. All revenues received by the Town of Bridgton from the sale of currently developed and leased portions of the parcel described in section 1 shall be held in a permanent reserve fund for use by the town as follows: The income of the fund may be used for acquisition and development of other public lands of the town to provide for public access and use; for the acquisition or development of recreational lands; and for the maintenance and improvement of parks and recreational property of the town. The portion of the parcel described in section 1, not currently developed and leased and not sold by the town under this Act, shall be retained by the town for public use, except that the Town of Bridgton may convey nonwaterfront portions of the parcel described in section 1 if the town determines those portions have no identifiable public use and as long as all revenues received by the Town of Bridgton from any such conveyance are held in a trust fund for parks and recreational purposes of the town. Boundaries of existing leased lots may be expanded by the town to maximize compliance with the Maine State Plumbing Code, and the dimensional requirements of the Bridgton Shoreland Zoning Ordinance and to eliminate undersized rights-of-way that separate several of the existing lots. The town may grant easements to the unleased portions of the parcel described in this section for the purpose of sewage disposal.

See title page for effective date.

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## CHAPTER 19

### H.P. 243 - L.D. 329

#### An Act Concerning the Law Governing the Posting of Newspaper Legal Notices and the Statewide Repository for Legal Notices

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

**Sec. 1.** 1 MRSA §603, last ¶, as enacted by PL 2013, c. 368, Pt. YYYY, §2 and affected by §5, is repealed.

See title page for effective date.

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**CHAPTER 20**  
**H.P. 13 - L.D. 12**

**An Act To Incorporate  
Protections for Living Donors  
into Maine Law**

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

**Sec. 1. 24-A MRSA §2159-D** is enacted to read:

**§2159-D. Discrimination against live organ donation prohibited in life insurance, disability insurance and long-term care insurance**

**1. Living organ donor.** For the purposes of this section, "living organ donor" means an individual who is not deceased who donates all or part of an organ from that individual.

**2. Discrimination prohibited.** Notwithstanding any other provision of law, an insurer authorized to do business in this State may not:

**A. Limit coverage or refuse to issue or renew coverage of an individual under any life insurance, disability insurance or long-term care insurance policy due to the status of that individual as a living organ donor;**

**B. Preclude an individual from donating all or part of an organ as a condition of receiving coverage under a life insurance, disability insurance or long-term care insurance policy;**

**C. Consider the status of an individual as a living organ donor in determining the premium rate for coverage of that individual under a life insurance, disability insurance or long-term care insurance policy; or**

**D. Otherwise discriminate in the offering, issuance, cancellation, amount of coverage, price or any other condition of a life insurance, disability insurance or long-term care insurance policy based solely and without any additional actuarial justification upon the status of an individual as a living organ donor.**

See title page for effective date.

**CHAPTER 21**  
**H.P. 128 - L.D. 172**

**An Act To Improve Officer  
Safety at Roadside Incidents**

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

**Sec. 1. 29-A MRSA §2054, sub-§2, ¶D**, as amended by PL 2005, c. 183, §2, is further amended to read:

D. Except as provided in this paragraph, a vehicle may not be equipped with or display a blue light.

(1) Emergency lights used on the following vehicles must emit a blue light or a combination of blue and white light: a police vehicle, except that a police vehicle may also use red emergency lights under paragraph F; a Department of Corrections vehicle as described in subsection 1, paragraph B, subparagraph (6); a vehicle operated by a chief of police, a sheriff or a deputy sheriff; and a vehicle operated by a qualified deputy sheriff or other qualified individual performing court security-related functions and services.

(2) Emergency lights used on an ambulance, an emergency medical service vehicle, a fire department vehicle or a hazardous material response vehicle may include one blue light mounted facing toward the rear of the vehicle so that the light is primarily visible to approaching traffic from the rear only.

(3) The taillight of a vehicle, or replica of a vehicle, manufactured prior to 1952 and registered under section 457, may contain a blue or purple insert of not more than one inch in diameter.

(4) Blue interior auxiliary lighting or dash lighting may be used on any vehicle if no portion of the beam of light is visible at a height of 42 inches above a surface parallel with the level surface on which the vehicle stands at a distance of 20 feet from any part of the vehicle.

**Sec. 2. 29-A MRSA §2054, sub-§2, ¶F**, as amended by PL 2015, c. 31, §2, is further amended to read:

F. Only vehicles listed in this paragraph, rural mail vehicles as provided in paragraph C, subparagraph (5) and school buses may be equipped with, display or use a red auxiliary or emergency light.

(1) Emergency lights used on an ambulance, an emergency medical service vehicle, a fire department vehicle, a fire vehicle, a rescue vehicle or a hazardous material response vehicle must emit a red light or a combination of red and white light.

(2) The municipal officers or a municipal official designated by the municipal officers, with the approval of the fire chief, may authorize an active member of a municipal or volunteer fire department to use one red or

combination red and white flashing auxiliary light mounted in the windshield or on the dashboard at the front of the vehicle or 2 flashing red or combination red and white auxiliary lights mounted on the front of the vehicle above the front bumper and below the hood and one red auxiliary light mounted in the rear window area. The light or lights may be displayed but may be used only while the member is en route to or at the scene of a fire or other emergency. A light mounted on the dashboard or in the windshield must be shielded so that the emitted light does not interfere with the operator's vision. The use of lights may be revoked at any time by the fire chief.

(3) Members of an emergency medical service licensed by Maine Emergency Medical Services may display and use on a vehicle red or combination red and white flashing auxiliary lights and red auxiliary lights of the same proportion, in the same location and under the same conditions as those permitted municipal and volunteer firefighters, when authorized by the chief official of the emergency medical service. The use of lights may be revoked at any time by the chief official of the emergency medical service.

(4) A police vehicle may be equipped with display and use red emergency lights. The red emergency lights may comprise up to 50% of the emergency lights used on the police vehicle.

See title page for effective date.

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## CHAPTER 22

S.P. 110 - L.D. 344

### An Act To Provide Opportunity for Energy Cost Reduction for Maine Businesses and Citizens

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

**Sec. 1. 35-A MRSA §1912**, as amended by PL 2015, c. 445, §7, is further amended to read:

**§1912. Limitation**

The commission may not execute under this chapter a physical energy storage contract after June 1, 2017 or an energy cost reduction contract after December 31, ~~2018~~ 2020. The commission may continue to administer existing physical energy storage contracts and enter into agreements regarding the resale of physical energy storage capacity purchased through a

physical energy storage contract after June 1, 2017. The commission may continue to administer existing energy cost reduction contracts and enter into agreements regarding the resale of natural gas pipeline capacity purchased through an energy cost reduction contract after December 31, ~~2018~~ 2020.

See title page for effective date.

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## CHAPTER 23

S.P. 45 - L.D. 97

### An Act To Establish Speed Limits at Loring Commerce Centre and Brunswick Landing

**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 establish speed limits for property owned or under the control of the Midcoast Regional Redevelopment Authority and the Loring Development Authority of Maine as soon as possible in order to protect users of roads on these properties; 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 §2073**, as amended by PL 2013, c. 107, §1, is further amended by adding at the end a new paragraph to read:

The Department of Transportation and the Maine State Police may establish speed limits within the limits of the property owned by or under the control of the Midcoast Regional Redevelopment Authority in Brunswick, established in Title 5, section 13083-G, and the Loring Development Authority of Maine in Limestone, established in Title 5, section 13080. The speed limits must be posted by the Midcoast Regional Redevelopment Authority and the Loring Development Authority of Maine in accordance with written directions or policies of the Department of Transportation.

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

Effective April 20, 2017.

## CHAPTER 24

S.P. 285 - L.D. 885

### An Act To Update References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised 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,** state tax law needs to be updated to conform to federal law before the 90-day period expires to avoid delay in the processing of income tax returns for 2016; and

**Whereas,** legislative action is immediately necessary to ensure continued and efficient administration of the state income tax and certain other state taxes; 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 §111, sub-§1-A,** as amended by PL 2015, c. 388, Pt. A, §1 and affected by §16, 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 December 31, ~~2015~~ 2016.

**Sec. 2. Application.** This Act applies to tax years beginning on or after January 1, 2016 and to any prior tax years as specifically provided by the United States Internal Revenue Code of 1986 and amendments to that Code as of December 31, 2016.

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

Effective April 26, 2017.

## CHAPTER 25

H.P. 164 - L.D. 208

### An Act To Allow Vehicles Hauling Animal Bedding To Travel over County or Town Ways without a Permit

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

**Sec. 1. 29-A MRSA §2395, sub-§4,** as amended by PL 1999, c. 600, §1, is further amended to read:

**4. Designation by counties and municipalities.** County commissioners and municipal officers may designate public ways other than those in subsection 3 and impose restrictions within their respective jurisdictions similar to those made by the Department of Transportation under subsection 3. Any vehicle delivering home heating fuel or organic animal bedding material and operating in accordance with a permit issued by the Department of Transportation pursuant to this section may travel over any county or town way without a specific municipal or county permit. A municipality may impose additional restrictions for ~~home heating fuel delivery trucks~~ a vehicle delivering home heating fuel or organic animal bedding material to operate on public ways within that municipality but may not require a permit to operate according to those restrictions.

See title page for effective date.

## CHAPTER 26

H.P. 29 - L.D. 28

### An Act To Allow Alternate Flashing Headlights on a School Bus

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

**Sec. 1. 29-A MRSA §2054, sub-§2, ¶A,** as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5 and amended by PL 2011, c. 657, Pt. W, §5, is further amended to read:

A. Only an ambulance; an emergency medical service vehicle; a fire department vehicle; a police vehicle; a Department of Agriculture, Conservation and Forestry vehicle used for forest fire control; a Department of Corrections vehicle as described in subsection 1, paragraph B, subparagraph (6); a school bus as defined in section 2301, subsection 5; and a highway maintenance vehicle

may be equipped with a device that provides for alternate flashing of the vehicle's headlights.

See title page for effective date.

## CHAPTER 27

### S.P. 92 - L.D. 306

#### An Act To Require State Compliance with Federal REAL ID Guidelines

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

**Sec. 1. 29-A MRSA §1260** is enacted to read:

**§1260. REAL ID compliant driver's license or nondriver identification card**

The Secretary of State may issue, upon request of the applicant, a driver's license under this subchapter or a nondriver identification card under section 1410 that meets the standards of the federal REAL ID Act of 2005, Public Law 109-13. A person may not hold a REAL ID compliant driver's license simultaneously with another license with the same class or restriction indicated on the license.

**Sec. 2. 29-A MRSA §1301, sub-§2-A**, as amended by PL 2013, c. 163, §1, is further amended to read:

**2-A. Legal presence requirement.** The Secretary of State may not issue a license to an applicant unless the applicant presents to the Secretary of State valid documentary evidence of legal presence in the United States, ~~except that the Secretary of State may exempt a person from the requirements of this subsection if that person is renewing a noncommercial driver's license and that person has continuously held a valid driver's license under this chapter since December 31, 1989 or was born before December 1, 1964.~~

**Sec. 3. 29-A MRSA §1401, sub-§9**, as enacted by PL 2011, c. 149, §6, is amended to read:

**9. Use of biometric technology.** The Secretary of State may ~~not~~ use biometric technology, including, but not limited to, retinal scanning, facial recognition or fingerprint technology, to produce a license or nondriver identification card. ~~This subsection does not apply to digital images.~~

**Sec. 4. 29-A MRSA §1405, sub-§3**, as repealed and replaced by PL 2015, c. 206, §7, is amended to read:

**3. Fee.** The fee for a duplicate registration certificate is \$2. The fee for a duplicate learner's permit, duplicate license or duplicate nondriver identification card is \$5. The fee for a duplicate license or duplicate

nondriver identification card under section 1260 is \$30.

**Sec. 5. 29-A MRSA §1406-A, sub-§§1 and 2**, as enacted by PL 2013, c. 381, Pt. B, §25, are amended to read:

**1. Driver's license fees; expiration of license; persons under 65 years of age.** The following provisions apply to the expiration of a driver's license for persons under 65 years of age.

A. Except as provided in section 1255, a noncommercial driver's license to operate a motor vehicle issued to a person under 65 years of age expires at midnight on the license holder's 6th birthday following the date of issuance. ~~The fee for the 6-year noncommercial driver's license is \$30~~ following fees apply.

(1) The fee for the 6-year noncommercial driver's license is \$30.

(2) The fee for the 6-year noncommercial driver's license under section 1260 is \$55.

B. Except as provided in section 1255, a commercial driver's license to operate a motor vehicle issued to a person under 65 years of age expires at midnight on the license holder's 5th birthday following the date of issuance. ~~The fee for the 5-year commercial driver's license is \$34~~ following fees apply.

(1) The fee for the 5-year commercial driver's license is \$34.

(2) The fee for the 5-year commercial driver's license under section 1260 is \$59.

**2. Driver's license fees; expiration of license; persons 65 years of age and over.** A noncommercial or commercial driver's license to operate a motor vehicle issued to a person 65 years of age or older at the date of issuance expires at midnight on the license holder's 4th birthday following the date of issuance. ~~The fee for the 4-year noncommercial driver's license is \$21. The fee for the 4-year commercial driver's license is \$28~~ following fees apply.

A. The fee for the 4-year noncommercial driver's license is \$21.

B. The fee for the 4-year noncommercial driver's license under section 1260 is \$41.

C. The fee for the 4-year commercial driver's license is \$28.

D. The fee for the 4-year commercial driver's license under section 1260 is \$48.

**Sec. 6. 29-A MRSA §1410, sub-§8**, as amended by PL 2013, c. 163, §2, is further amended to read:

**8. Legal presence requirement.** The Secretary of State may not issue a nondriver identification card to an applicant unless the applicant presents to the Secretary of State valid documentary evidence of legal presence in the United States, ~~except that the Secretary of State may exempt a person from the requirements of this subsection if that person has continuously held a nondriver identification card or valid driver's license under this chapter since December 31, 1989 or was born before December 1, 1964.~~

**Sec. 7. 29-A MRSA §1410, sub-§11** is enacted to read:

**11. REAL ID compliant nondriver identification card; fee.** The fee for a nondriver identification card under section 1260 is \$30.

**Sec. 8. Secretary of State to issue conforming licenses and identification cards.** The Secretary of State shall issue driver's licenses and nondriver identification cards that conform to the federal REAL ID Act of 2005, enacted as part of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005, Public Law 109-13.

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

**SECRETARY OF STATE, DEPARTMENT OF Administration - Motor Vehicles 0077**

Initiative: Provides allocations to implement the federal REAL ID Act of 2005.

HIGHWAY FUND	2017-18	2018-19
All Other	\$343,853	\$823,919
Capital Expenditures	\$0	\$27,060
<b>HIGHWAY FUND TOTAL</b>	<b>\$343,853</b>	<b>\$850,979</b>

**Sec. 10. Effective date.** Those sections of this Act that enact the Maine Revised Statutes, Title 29-A, section 1260 and section 1410, subsection 11 and amend Title 29-A, sections 1301, 1401, 1405, 1406-A and 1410 take effect July 1, 2019.

See title page for effective date, unless otherwise indicated.

**CHAPTER 28  
S.P. 85 - L.D. 239**

**An Act To Require National Banks To Cooperate in the Administration of the General Assistance Program**

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

**Sec. 1. 22 MRSA §4314, sub-§2**, as amended by PL 1997, c. 455, §§8 and 32 and PL 2003, c. 689, Pt. B, §§6 and 7, is further amended to read:

**2. Financial institutions.** ~~A treasurer~~ An officer of any bank, federally or state-chartered credit union, trust company, benefit association, insurance company, safe deposit company or any corporation or association receiving deposits of money, ~~except national banks~~, shall, ~~on~~ upon receipt of a written release signed by a depositor and a written request in writing signed by the overseer of any municipality or its agents, or by the Commissioner of Health and Human Services or the commissioner's agents or by the Commissioner of Defense, Veterans and Emergency Management or the commissioner's agents, ~~inform~~ disclose to that overseer or the Department of Health and Human Services or the Bureau of Maine Veterans' Services ~~of~~ the amount deposited in the corporation or association to the credit of the ~~person~~ named in the request depositor granting the release, who is a charge upon the municipality or the State, or who has applied for support to the municipality or the State. When the named depositor who is a charge upon the municipality is deceased and the municipality or its agents are acting in accordance with section 4313, subsection 2, the officer shall disclose the amount deposited in the corporation or association upon receipt of a written request from the municipality or its agents and a notarized affidavit signed by the overseer of the municipality or its agents stating that the named depositor is deceased.

See title page for effective date.

**CHAPTER 29  
S.P. 101 - L.D. 313**

**An Act To Amend the Laws Governing Prior Employees of the Workers' Compensation Board**

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

**Sec. 1. 39-A MRSA §153-A, sub-§3, ¶C**, as amended by PL 2007, c. 312, §2, is further amended to read:

C. An advocate or advocate attorney may not represent before the board any insurer, self-insurer or 3rd-party administrator for a period of 2 years one year after terminating employment with the board. This paragraph does not apply to a person who has worked as an advocate or advocate attorney for a period of at least 4 years.

See title page for effective date.

## CHAPTER 30 H.P. 270 - L.D. 364

### An Act To Make Technical Changes to the Laws Governing Child Support

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

**Sec. 1. 19-A MRSA §1653, sub-§13**, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is repealed.

**Sec. 2. 19-A MRSA §2001, sub-§1**, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

**1. Basic support entitlement.** "Basic support entitlement" means the sum derived from the child support table appropriate ~~to the age of~~ for each child and the parties' gross income.

**Sec. 3. 19-A MRSA §2001, sub-§11**, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is repealed.

**Sec. 4. 19-A MRSA §2006, sub-§1**, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

**1. Determination of basic support entitlement.** After the court or hearing officer determines the annual gross income of both parties, the 2 incomes must be added together to provide a combined annual gross income and applied to the child support table to determine the basic support entitlement for each child.

~~When there is a child within each age category, the~~ The court or hearing officer shall refer to the table and locate the figure in the left-hand column that is closest to the parents' combined annual gross income. ~~In each age category the~~ The court or hearing officer shall determine the dollar figure for the total number of children for whom support is being determined; and multiply the dollar figure ~~in each age category~~ by the number of children ~~in that category and add the 2~~

~~products.~~ The resulting dollar amount represents the basic support entitlement.

**Sec. 5. 19-A MRSA §2006, sub-§6**, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is repealed.

**Sec. 6. 19-A MRSA §2006, sub-§7, ¶C**, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

C. The amount of the basic weekly support entitlement attributable to each child ~~under 12 years of age,~~ as indicated per child per week on the child support table;

**Sec. 7. 19-A MRSA §2006, sub-§7, ¶D**, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is repealed.

**Sec. 8. 19-A MRSA §2006, sub-§8, ¶D**, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is repealed.

**Sec. 9. 19-A MRSA §2006, sub-§8, ¶E**, as amended by PL 2005, c. 352, §4, is further amended to read:

E. ~~If each child for whom~~ a parental support obligation is being established for more than one child and a child has attained ~~12~~ 15 years of age, a specific sum to be paid depending on the number of minor children remaining with the primary care provider. Because the support guidelines are based on the actual costs of raising a given number of children in a household, the order must provide a specific dollar amount for every combination of minor children. Except as provided in paragraph G, the court or hearing officer may not apportion support between the parents by determining the parental support obligation amount and dividing by the total number of children;

**Sec. 10. 19-A MRSA §2006, sub-§11** is enacted to read:

**11. Child between 18 and 19 years of age attending secondary school.** The child support table and the support guidelines include a child between 18 and 19 years of age who is attending a secondary school for whom an obligation of support is established or deemed to remain in force pursuant to section 1653, subsection 8, paragraph B; section 1653, subsection 12, paragraph A; or section 2306, subsection 4, paragraph D.

See title page for effective date.

**CHAPTER 31**  
**S.P. 135 - L.D. 408**

**An Act To Prohibit Taxpayer-  
funded Campaign  
Expenditures from Being Used  
on Post-election Parties**

**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 2011, c. 389, §54, 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. 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 post-election parties. This section does not prohibit a candidate from using personal funds for post-election parties as governed by rules of the commission. The commission shall publish guidelines outlining permissible campaign-related expenditures.

See title page for effective date.

**CHAPTER 32**  
**H.P. 15 - L.D. 14**

**An Act To Extend the Legal  
Hours for Harvesting Lobster**

**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 current legal times for hauling lobster traps are determined based upon sunrise and sunset; and

**Whereas,** in the fall the later sunrise prevents lobster license holders from fishing most efficiently and during the calmer morning hours; and

**Whereas,** it is necessary that this Act take effect before October 2017 in order to take advantage of the fall harvest and in order to allow lobster license holders to fish efficiently and safely; 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 §6440, sub-§1, as amended by PL 2001, c. 123, §1, is further amended to read:

**1. Summer.** During the period 1/2 hour after sunset until 1/2 hour before sunrise from June 1st to ~~October 31st~~ September 30th, both days inclusive, and during the period 1/2 hour after sunset until 4 a.m. from October 1st to October 31st, both days inclusive; and

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

Effective April 28, 2017.

**CHAPTER 33**  
**H.P. 108 - L.D. 150**

**An Act Regarding the Funding  
of Volunteer Fire Departments**

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

**Sec. 1.** 30-A MRSA §5722, sub-§4, 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:

**4. Volunteer fire department.** Support an incorporated volunteer fire department, as long as the purposes for which an appropriation is made to a volunteer fire department are itemized;

A. If the amount appropriated for an incorporated volunteer fire department is \$1,000 or less, the municipal officers may issue their warrant to the municipal treasurer, without itemizing the purposes for which the appropriation will be spent, requiring the municipal treasurer to pay the amount of the appropriation to the treasurer of the volunteer fire department;

See title page for effective date.

**CHAPTER 34**  
**S.P. 129 - L.D. 388**

**An Act Regarding the Sale of  
Alcohol by a Manufacturer  
with an On-premises Retail  
License**

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

**Sec. 1. 28-A MRSA §1355-A, sub-§2, ¶¶D and I**, as enacted by PL 2011, c. 629, §22, are amended to read:

D. A licensee under this section may sell from the licensed premises where liquor is produced by the licensee liquor produced by the licensee for consumption off the licensed premises.

(1) Sales made in accordance with this paragraph do not require a licensee under this section to obtain an additional retail license under chapter 45.

(2) Liquor sold in accordance with this paragraph may not be consumed anywhere on the licensed premises.

(3) The area of the licensed premises where a licensee opts to transact sales for off-premises consumption may be accessed from the same entrance used to access an area licensed for on-premises consumption of liquor under chapter 43 in accordance with paragraph I.

I. A licensee may be issued one retail license under chapter 43 per licensed location for the sale of liquor to be consumed on the premises at the retail premises.

(1) The retail license must be held exclusively by the holder of the brewery, small brewery, winery, small winery, distillery or small distillery license.

(2) The retail license authorizes the sale of products of the brewery, small brewery, winery, small winery, distillery or small distillery, in addition to other liquor permitted to be sold under the retail license, to be consumed on the premises.

(3) All records related to activities under a manufacturer license issued under this section must be kept separate from records related to the retail license.

(4) A distillery or small distillery must meet the requirements of subsection 5, ~~paragraph~~ paragraphs D and E.

(5) The licensee shall ensure that products purchased for off-premises consumption un-

der paragraph D are not consumed on the licensed premises.

See title page for effective date.

**CHAPTER 35**  
**S.P. 142 - L.D. 415**

**An Act To Modify the Amount  
of Product Samples of Malt  
Liquor, Wine or Spirits That  
May Be Provided to Retail  
Licensees**

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

**Sec. 1. 28-A MRSA §1402-A, sub-§4**, as amended by PL 2011, c. 629, §27, is further amended to read:

**4. Full-bottle samples.** The maximum amount of unopened full-bottle samples given to a retail licensee may not exceed ~~9~~ 18 gallons of malt ~~beverage liq-~~ uor and ~~9~~ 18 liters of wine annually. A full-bottle sample is an unopened bottle of wine or malt ~~beverage~~ liquor given to a retail licensee, which may be consumed by a retail licensee on or off the premises; and

**Sec. 2. 28-A MRSA §1504, sub-§5**, as amended by PL 2011, c. 629, §31, is further amended to read:

**5. Full-bottle samples.** The maximum amount of unopened full-bottle samples of distilled spirits given to a retail licensee by a sales representative may not exceed ~~3~~ 6 liters per year per distiller represented by that sales representative. Individual samples may not exceed one liter. A full-bottle sample is an unopened bottle of spirits provided to an agency liquor store or an on-premises retail licensee licensed to sell spirits.

See title page for effective date.

**CHAPTER 36**  
**S.P. 220 - L.D. 658**

**An Act To Conform Maine  
Law Regarding Insurer  
Privacy Notices to Federal Law**

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

**Sec. 1. 24-A MRSA §2206, sub-§1, ¶¶B and C**, as enacted by PL 1997, c. 677, §3 and affected by §5, are amended to read:

B. In the case of a policy renewal, if a change has been made in the regulated insurance entity's information practices, the notice must be provided no later than the policy renewal date, unless:

- (1) Personal information is collected only from the policyholder or from public records; or
- (2) A notice meeting the requirements of this section has been given within the previous 24 months.

C. In the case of a policy reinstatement or change in insurance benefits, if a change has been made in the regulated insurance entity's information practices, the notice must be provided no later than the time the request for reinstatement or change in benefits is received by the carrier, unless personal information is collected only from the policyholder or from public records.

See title page for effective date.

## CHAPTER 37

### H.P. 139 - L.D. 183

#### An Act Requiring the Use of the Electronic Death Registration System

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

**Sec. 1. 22 MRSA §2847**, as enacted by PL 2011, c. 371, §2, is amended to read:

#### **§2847. Electronic death registration system**

~~Beginning July 1, 2012, a certificate of death required to be filed by any A person authorized under to complete or file a certificate of death pursuant to section 2842 pursuant to this chapter may be filed using shall use the electronic death registration system maintained by the State Registrar of Vital Statistics. This section does not apply to an authorized person under section 2846. The State Registrar of Vital Statistics shall adopt rules to carry out the purposes of this section. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subsection 2-A.~~

**Sec. 2. Effective date.** This Act takes effect July 1, 2018.

Effective July 1, 2018.

## CHAPTER 38

### S.P. 69 - L.D. 223

#### An Act To Ensure the Timely Final Disposition of Human Remains

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

**Sec. 1. 22 MRSA §2843-A, sub-§2**, as amended by PL 2011, c. 387, §1, is further amended to read:

**2. Custody and control generally.** The custody and control of the remains of deceased residents of this State, dead bodies or dead human bodies are governed by the following provisions in the following order of priority:

A. If the subject has designated another person to have custody and control in a written and signed document, custody and control belong to that designated person;

B. If the subject has not left a written and signed document designating a person to have custody and control, or if the person designated by the subject refuses custody and control, custody and control belong to the next of kin; and

C. If the next of kin is 2 or more persons with the same relationship to the subject, the majority of the next of kin have custody and control. If the next of kin can not, by majority vote, make a decision regarding the subject's remains, the court shall make the decision upon petition under subsection 4, paragraph D.

If a person who has the right of custody and control under this subsection does not exercise the rights and responsibilities of custody and control within 4 days after the death of the subject, custody and control belong to a person from the next lower level of priority as established in paragraphs A to C.

If a person who has custody and control under this subsection does not complete decision making regarding final disposition within 30 days after taking custody and control, a funeral director or practitioner of funeral service who has physical possession of the remains or dead body may bury the remains or dead body at the expense of the funeral director or practitioner.

A person who has been charged with murder, as described in Title 17-A, section 201, or manslaughter, as described in Title 17-A, section 203, subsection 1, paragraph B, forfeits the right of custody and control provided under this subsection; and a funeral director or practitioner of funeral service who is aware of the charges may not release the remains or a dead body to that person who has been charged with murder or

manslaughter. If the charges against the person are dismissed or the person is acquitted of the charges before the final disposition takes place, the person regains the right of custody and control in the same position of priority established in this subsection.

The remains or a dead body is considered abandoned if no one takes custody and control of the remains or dead body for a period of 15 days. A funeral director or practitioner of funeral service who has physical possession of abandoned remains or an abandoned dead body may bury the remains or dead body. The funeral director or practitioner of funeral service may embalm or refrigerate abandoned remains or an abandoned dead body without authorization. A certificate of abandonment that indicates the means of disposition must be filed in the municipality where the death occurred.

See title page for effective date.

**CHAPTER 39**  
**H.P. 245 - L.D. 331**

**An Act To Correct the Maine  
Uniform Trust Code  
Concerning Certain  
Beneficiaries**

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

**Sec. 1. 18-B MRSA §110, sub-§1, ¶C**, as enacted by PL 2005, c. 184, §7, is amended to read:

C. Would be a distributee or permissible distributee of trust income or principal if the trust terminated on that date.

See title page for effective date.

**CHAPTER 40**  
**H.P. 284 - L.D. 393**

**An Act To Clarify That the  
Department of Transportation  
Is Exempt from Property  
Assessment Liabilities When  
Acquiring Property by  
Condemnation**

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

**Sec. 1. 23 MRSA §161, sub-§1**, as amended by PL 1971, c. 593, §22, is further amended to read:

**1. Reimbursement.** When the department acquires real or personal property for transportation pur-

poses, the department is not required to pay any taxes or assessments on that property. The department, as soon as practicable after the date of payment of just compensation, shall reimburse the owner from whom ~~land or rights in land were~~ the property has been acquired for highway transportation purposes, to the extent the department deems fair and reasonable, for expenses ~~such~~ the owner necessarily incurred for:

A. Recording fees, transfer taxes and similar expenses, if any, incidental to conveying such property to the State;

B. Penalty costs for prepayment of any preexisting recorded mortgage entered into in good faith encumbering such real property; and

C. The pro rata portion of real property taxes paid which are allowable to a period subsequent to the date of vesting title in the State, or the effective date of possession of such real property by the State, whichever is earlier.

See title page for effective date.

**CHAPTER 41**  
**H.P. 312 - L.D. 432**

**An Act To Designate a Maine  
Community Litter Cleanup  
Day**

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

**Sec. 1. 1 MRSA §150-N** is enacted to read:

**§150-N. Maine Community Litter Cleanup Day**

The first Saturday in May is designated Maine Community Litter Cleanup Day, and the Governor shall annually issue a proclamation inviting and urging the citizens of the State to observe this day through appropriate activities such as removing litter from roads.

See title page for effective date.

**CHAPTER 42**  
**H.P. 22 - L.D. 21**

**An Act To Amend the Law  
Regarding the Execution of  
Temporary Powers of Attorney**

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

**Sec. 1. 18-A MRSA §5-104, sub-§(c), ¶(4)**, as enacted by PL 2015, c. 467, §2, is amended to read:

(4). An organization, other than an organization whose primary purpose is to provide free legal

services or to provide hospital services, that is exempt from federal income taxation under Section 501(a) of the United States Internal Revenue Code of 1986 as an organization described by Section 501(c)(3) and that assists parents or guardians with the process of executing a power of attorney for the temporary care of a minor shall ensure that a background check is conducted for the agent and any adult members of the agent's household, whether by completing the background check directly or by verifying that a current background check has already been conducted. The background check must include the following sources, and the results must be shared with the parent or guardian and the proposed agent:

- (i) A screening for child and adult abuse, neglect or exploitation cases in the records of the Department of Health and Human Services; and
- (ii) A criminal history record check that includes information obtained from the Federal Bureau of Investigation.

The organization shall maintain records on the training and background checks of agents, including the content and dates of training and full transcripts of background checks, for a period of not less than 5 years after the minor attains 18 years of age. The organization shall make the records available to a parent or guardian executing a power of attorney under this subsection and to the ombudsman under Title 22, section 4087-A and any local, state or federal authority conducting an investigation involving the agent, the parent or guardian or the minor.

Without regard to whether an organization is included or excluded by the terms of this paragraph, nothing in this section changes the restrictions on the unauthorized practice of law as provided in Title 4, section 807 with regard to the preparation of powers of attorney.

See title page for effective date.

## CHAPTER 43

### S.P. 146 - L.D. 444

#### An Act To Increase the Maximum Registered Gross Weight Allowed for Vehicles with Disabled Veterans or Special Veterans Registration Plates

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

**Sec. 1. 29-A MRSA §523, sub-§2**, as amended by PL 2007, c. 383, §14, is further amended to read:

**2. Disabled veterans; special free license plates.** The Secretary of State, on application and upon evidence of payment of the excise tax required by Title 36, section 1482, shall issue a registration certificate and set of special designating plates to be used in lieu of regular registration plates for a vehicle with a registered gross weight of not more than ~~10,000~~ 26,000 pounds to any 100% disabled veteran when that application is accompanied by certification from the United States Veterans Administration or any branch of the United States Armed Forces as to the veteran's permanent disability and receipt of 100% service-connected benefits. A disability placard is issued in addition to the disabled veteran registration plate at no fee.

These special designating plates must bear the words "Disabled Veteran," which indicate that the vehicle is owned by a disabled veteran.

**Sec. 2. 29-A MRSA §523, sub-§3**, as amended by PL 2009, c. 80, §1, 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 or by section 504, subsection 1 for a vehicle with a registered gross weight over 10,000 pounds, 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~~ 26,000 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 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, 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.

See title page for effective date.

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## CHAPTER 44

### S.P. 10 - L.D. 6

#### **An Act To Prohibit Insurance Carriers from Charging Enrollees for Prescription Drugs in Amounts That Exceed the Drugs' Costs**

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

**Sec. 1. 24-A MRSA §4317, sub-§13** is enacted to read:

**13. Prohibition on excessive copayments or charges; disclosure not penalized.** A carrier or pharmacy benefits manager may not impose on an enrollee a copayment or other charge that exceeds the claim cost of a prescription drug. If information re-

lated to an enrollee's out-of-pocket cost or the clinical efficacy of a prescription drug or alternative medication is available to a pharmacy provider, a carrier or pharmacy benefits manager may not penalize a pharmacy provider for providing that information to an enrollee.

See title page for effective date.

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## CHAPTER 45

### H.P. 232 - L.D. 299

#### **An Act To Increase Voter Knowledge of Bond Issues**

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

**Sec. 1. 21-A MRSA §651, sub-§2, ¶A,** as enacted by PL 2011, c. 342, §22, is amended to read:

A. In each voting booth: one voting instruction poster prepared under section 605-A and a copy of the Treasurer of State's statement prepared pursuant to Title 5, section 152; and

See title page for effective date.

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## CHAPTER 46

### S.P. 137 - L.D. 410

#### **An Act To Except from the Freedom of Access Act Certain Information in the Possession of the Maine Public Employees Retirement System**

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

**Sec. 1. 5 MRSA §17057, sub-§1,** as repealed and replaced by PL 1991, c. 824, Pt. A, §7, is amended to read:

**1. Medical information.** Medical information of any kind in the possession of the retirement system, including information pertaining to diagnosis or treatment of mental or emotional disorders, is confidential and not open to public inspection and does not constitute "public records" as defined in Title 1, section 402, subsection 3. Records containing medical information may be examined by the employee to whom they relate or by the State or participating local district employer of the employee for any purposes related to any claim for workers' compensation or any other benefit. The employee must be advised in writing by the retirement system of any request by the employer to examine the employee's medical records. Medical information obtained pursuant to this section remains confidential, except as otherwise provided by law, and except when involved in proceedings resulting from an appeal pursuant to section 17451 ~~or proceedings re-~~

~~arding claims for other retirement benefits, subsection 2.~~

**Sec. 2. 5 MRSA §17057, sub-§2**, as repealed and replaced by PL 1991, c. 824, Pt. A, §7, is repealed and the following enacted in its place:

**2. Financial and personal information.** The following private financial and personal information of members, beneficiaries or participants in any of the programs of the retirement system in the possession of the retirement system is confidential and not open to public inspection and does not constitute "public records" as defined in Title 1, section 402, subsection 3:

- A. Information regarding member, beneficiary or participant accounts with financial institutions, including account numbers;
- B. Information regarding member and beneficiary election of payment methods, including elected deductions from those payments;
- C. Information regarding participation in defined contribution or deferred compensation plans, including account numbers, investment allocations, contributions, distributions and balances;
- D. Information regarding designated beneficiaries; and
- E. Information regarding a participant's amount of insurance coverage or group life insurance.

See title page for effective date.

**CHAPTER 47**

**S.P. 148 - L.D. 446**

**An Act To Allow  
Campgrounds To Operate  
Beano or Bingo**

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

**Whereas**, economic activity from camping is limited to summer and early fall; and

**Whereas**, beano is a complement to what campgrounds in the State offer to residents and tourists alike; and

**Whereas**, this legislation needs to be enacted as an emergency in order that it can take effect for this summer's camping 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 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. 17 MRSA §313-B** is enacted to read:

**§313-B. Exemption for campgrounds**

Notwithstanding section 312, subsection 1, a campground licensed under Title 22, section 2492 or a campground operated by the State or the Federal Government may conduct beano without a license as long as the following criteria are met.

**1. Games for patrons only.** The campground must offer games exclusively to campground patrons and guests of campground patrons. Notwithstanding section 319, patrons and guests under the age of 16 may take part in a game of beano conducted in accordance with this section.

**2. Prize value.** A prize awarded to a winner of a beano game may not exceed a value of \$25 for any one game.

**3. Proceeds.** Proceeds from fees charged to campground patrons and their guests to participate in a beano game may be used only to pay for prizes awarded to players and to cover the actual costs incurred to operate the games.

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

Effective May 7, 2017.

**CHAPTER 48**

**S.P. 271 - L.D. 825**

**An Act To Ensure Direct  
Dialing of 911 from Multiline  
Telephone Systems**

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

**Sec. 1. 25 MRSA §2934, sub-§1**, as enacted by PL 2003, c. 478, §1, is amended to read:

**1. Requirements.** The bureau may by rule establish requirements for locating emergency calls, and initiating emergency responses to such calls, made from within multiline telephone systems, including network-based or premises-based systems and voice over Internet protocol systems, whether owned or leased by a public or private entity, such as private branch exchanges or Centrex systems. Rules adopted pursuant to this section:

- A. May not require any local unit of government to expand or modify its activities so as to necessitate additional expenditures from local revenues;

B. Apply only to multiline telephone systems installed, introduced, established or replaced after the effective date of the rules;

C. Must provide for appropriate standards, exemptions and waivers that balance the benefits of improved methods of locating emergency calls, and initiating emergency responses to such calls, made from within multiline telephone systems and the cost of achieving those improvements. The rules must allow, in appropriate circumstances, for methods that do not utilize automatic location identification and automatic number identification standards used in processing enhanced 9-1-1 calls; and

D. May establish appropriate technical, procedural or any other standards relating to multiline telephone systems, telecommunications carrier interconnectivity, databases, dialing instructions, signaling or other matters necessary or appropriate to carry out the purposes of this section.

**Sec. 2. 25 MRSA §2934-A** is enacted to read:

**§2934-A. Emergency calling from multiline telephone systems**

**1. Direct dialing of 911.** A public or private entity that installs or operates a multiline telephone system shall ensure that the system is connected to the public switched telephone network in such a way that when an individual using the system dials 911, the call connects to the public safety answering point without requiring the user to first dial any other number or set of numbers. This subsection does not apply to any local unit of government if complying would necessitate additional expenditures from local revenues.

**2. Compliance period.** A public or private entity shall comply with subsection 1 within one year after the effective date of this section or, if the public or private entity does not have a multiline telephone system capable of complying with subsection 1, by the date that the multiline telephone system is next upgraded to a system capable of complying with subsection 1.

See title page for effective date.

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**CHAPTER 49**

**H.P. 263 - L.D. 357**

**An Act To Increase Penalties  
for the Discharge of Sewage,  
Septic Fluids, Garbage,  
Sanitary Waste or Other  
Pollutants from Watercraft  
into Inland Waters**

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

**Sec. 1. 38 MRSA §423, sub-§5** is enacted to read:

**5. Penalty.** Notwithstanding section 349, subsection 2, a person who is charged with a civil violation of this section is subject to a civil penalty, payable to the State, of not less than \$500 and not more than \$10,000 for each day of that violation.

See title page for effective date.

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**CHAPTER 50**

**H.P. 399 - L.D. 557**

**An Act To Revoke the Hunting  
and Fishing Licenses of a  
Person Charged with Defacing  
Property Posting Signs**

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

**Sec. 1. 12 MRSA §10652, sub-§1, ¶B,** as amended by PL 2011, c. 253, §7 and c. 682, §38, is further amended to read:

B. A person may not while hunting any wild animal or wild bird:

(1) Damage or destroy a tree on another person's land by inserting into that tree any metallic or ceramic object to be used as, or as part of, a ladder or observation stand unless the person has the permission of the landowner;

(2) Except as provided in this paragraph, erect or use either a portable or permanent ladder or observation stand on the land of another person unless:

(a) That person has obtained oral or written authorization to erect and use a ladder or observation stand from the landowner or the landowner's representative; and

(b) The ladder or observation stand is plainly labeled with a 2-inch by 4-inch tag identifying the name and address of the person or persons authorized by the landowner to use the stand or observation ladder.

This subparagraph does not apply to a portable ladder or observation stand that is located on land within the jurisdiction of the Maine Land Use Planning Commission and attended by the person who owns the ladder or observation stand. For purposes of this subparagraph, "observation stand" does not include a portable blind utilized at ground level that remains in the physical possession of the hunter;

- (3) Tear down or destroy any fence or wall on another person's land;
- (4) Leave open any gate or bars on another person's land; or
- (5) Trample or destroy any crop on another person's land; or
- (6) Destroy, tear down, deface or otherwise damage a property posting sign under Title 17-A, section 402, subsection 4.

Sec. 2. 12 MRSA §10902, sub-§7-B is enacted to read:

**7-B. Destroying or defacing property posting signs.** The hunting and fishing licenses of a person convicted of destroying, tearing down, defacing or otherwise damaging a property posting sign in violation of section 10652, subsection 1, paragraph B must be revoked, and that person is ineligible to obtain a hunting or fishing license for a period of one year from the date of conviction.

See title page for effective date.

**CHAPTER 51  
H.P. 86 - L.D. 118**

**An Act To Require All Moped Riders under 18 Years of Age and Newly Licensed Moped Operators To Wear a Helmet**

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 2009, c. 50, §1, is further amended to read:

A. If under 18 years of age, a passenger on a motorcycle or moped or in an attached side car;

Sec. 2. 29-A MRSA §2083, sub-§1, ¶B, as amended by PL 2009, c. 50, §2, is further amended to read:

B. If under 18 years of age, an operator of a motorcycle or moped;

Sec. 3. 29-A MRSA §2083, sub-§1, ¶C, as amended by PL 2005, c. 577, §33, is further amended to read:

C. An operator of a motorcycle or moped, operating under a learner's permit or within one year of successfully completing a driving test; and

Sec. 4. 29-A MRSA §2083, sub-§2, as repealed and replaced by PL 2009, c. 652, Pt. C, §5, is amended to read:

**2. Compliance.** An operator of a motorcycle or moped or a parent or guardian may not allow a pas-

senger under the age of 18 years to ride in violation of this section.

See title page for effective date.

**CHAPTER 52  
H.P. 275 - L.D. 369**

**An Act To Establish the Seaweed Fisheries Advisory Council and To Enhance the Management of the Seaweed Fishery**

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

Sec. 1. 5 MRSA §12004-I, sub-§57-H is enacted to read:

**57-H.**

Marine	Seaweed	Expenses	12 MRSA
Resources	Fisheries	Only	§6087
	Advisory		
	Council		

Sec. 2. 12 MRSA §6087 is enacted to read:

**§6087. Seaweed Fisheries Advisory Council**

**1. Appointment; composition.** The Seaweed Fisheries Advisory Council, established by Title 5, section 12004-I, subsection 57-H and referred to in this section as "the council," consists of 7 members appointed by the commissioner as follows:

A. Two members who process seaweed or hold either a seaweed permit or seaweed buyer's license;

B. Two members who are seaweed aquaculture lease holders or their designees;

C. One member of the scientific community;

D. One member who harvests seaweed; and

E. One member of the public.

The commissioner shall make appointments so that the composition of the council reflects the diversity of the State's seaweed operations.

**2. Purpose.** The council shall:

A. Make recommendations to the commissioner on all matters concerning the health of the seaweed resource, its ecosystem and the industry it supports.

B. Make recommendations to the commissioner regarding expenditures from the Seaweed Management Fund as described in section 6806.

**3. Term.** The term of a member appointed to the council is 3 years, except that a vacancy during an unexpired term must be filled in the same manner as for the original member for the unexpired portion of the member's term. A member may not serve more than 2 consecutive terms.

**4. Officers.** The officers of the council are the chair, vice-chair and secretary. The term of the officers is one year. The council shall elect a member of the council for each officer position at the first regular meeting of each year.

**5. Meeting.** The council shall meet at least once a year. It may also meet at other times at the call of the commissioner.

**Sec. 3. 12 MRSA §6806, sub-§3,** as reallocated by RR 1999, c. 1, §18, is amended to read:

**3. Plan required.** Beginning in calendar year ~~2000~~ 2018, the commissioner shall by May 1st of each year present a plan for expenditures from the fund for the next fiscal year to the joint standing committee of the Legislature having jurisdiction over marine resource matters. When developing the plan, the commissioner shall consult with ~~harvesters and seaweed dealers~~ the Seaweed Fisheries Advisory Council established in Title 5, section 12004-I, subsection 57-H.

**Sec. 4. Staggered terms.** Notwithstanding the Maine Revised Statutes, Title 12, section 6087, subsection 3, of the initial appointments of the Seaweed Fisheries Advisory Council, the Commissioner of Marine Resources shall designate the first appointment for a one-year term, the next 2 appointments for 2-year terms and any other appointments for 3-year terms. An initial term of one or 2 years may not be considered a full term for purposes of limiting the number of terms for which a member may serve.

See title page for effective date.

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## CHAPTER 53

H.P. 428 - L.D. 612

### An Act To Improve Vocational Rehabilitation under the Maine Workers' Compensation Act of 1992

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

**Sec. 1. 39-A MRSA §217, sub-§8,** as enacted by PL 2011, c. 647, §14, is repealed.

**Sec. 2. 39-A MRSA §217, sub-§9** is enacted to read:

**9. Reduction of benefits.** If an employee is actively participating in a rehabilitation plan ordered pursuant to subsection 2, benefits may not be reduced except:

A. Under section 205, subsection 9, paragraph A, upon the employee's return to work with or an increase in pay from an employer who is paying the employee compensation under this Act;

B. Under section 205, subsection 9, paragraph B, based on the amount of actual documented earnings paid to the employee; or

C. When the employee reaches the durational limit of benefits paid under section 213.

See title page for effective date.

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## CHAPTER 54

H.P. 438 - L.D. 622

### An Act To Ensure Appropriate Training for Harbor Masters

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

**Sec. 1. 38 MRSA §1-A, sub-§1,** as enacted by PL 2005, c. 525, §1, is amended to read:

**1. Basic training course.** A person appointed or reappointed a harbor master or a deputy harbor master after August 31, 2006 must complete a basic harbor master training course offered by a statewide harbor masters association that represents Maine harbor masters within one year after being appointed or reappointed unless that person has previously completed such a course. The person appointed or reappointed a harbor master or deputy harbor master shall pay the cost of the training required under this subsection.

See title page for effective date.

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## CHAPTER 55

S.P. 54 - L.D. 135

### An Act To Authorize the Department of Health and Human Services To Disclose Information to the Personal Representative of the Estate of an Incapacitated or Dependent Adult Who Dies While under Public Guardianship or Public Conservatorship

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

**Sec. 1. 22 MRSA §3474, sub-§2, ¶1,** as amended by PL 2007, c. 140, §2, is further amended to read:

I. A member of a panel appointed by the department or the Office of the Attorney General to review the death or serious injury of an incapacitated or dependent adult or a child; ~~and~~

**Sec. 2. 22 MRSA §3474, sub-§2, ¶J**, as enacted by PL 2007, c. 140, §3 and amended by PL 2011, c. 657, Pt. W, §5, is further amended to read:

J. The local animal control officer or the animal welfare program of the Department of Agriculture, Conservation and Forestry established pursuant to Title 7, section 3902 when there is a reasonable suspicion of animal cruelty, abuse or neglect. For purposes of this paragraph, "cruelty, abuse or neglect" has the same meaning as provided in Title 34-B, section 1901, subsection 1, paragraph B; and

**Sec. 3. 22 MRSA §3474, sub-§2, ¶K** is enacted to read:

K. The personal representative of the estate of an incapacitated or dependent adult who dies while under public guardianship or public conservatorship.

See title page for effective date.

## CHAPTER 56

### H.P. 835 - L.D. 1198

#### An Act To Enhance the Administration of the State's Group Health Plan

**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 contract for the State's group health plan expired on June 30, 2016; and

**Whereas**, the State is currently in the competitive bidding process for awarding the next group health plan for state employees; and

**Whereas**, allowing the term of the State's next group health plan to be extended will enhance the administration of the plan and benefit the plan members; 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 §285, sub-§5**, as amended by PL 1995, c. 368, Pt. G, §1, is further amended to read:

**5. Purchase of policies.** The commission shall purchase, by competitive bidding, from one or more insurance companies, nonprofit organizations, 3rd-party administrators or any organization necessary to

administer and provide a health plan, a policy or policies or contract, to provide the benefits specified by this section. The purchase of policies by the commission must be accomplished by use of a written contract that must be fully executed within 90 calendar days of notification of bid acceptance from the commission to the insurer. In extenuating circumstances, the Commissioner of Administrative and Financial Services may grant a waiver to that 90-day limit. Notwithstanding this subsection, with the consent of the policyholder and of the insurer and at the sole discretion of the commission, existing policies of insurance covering at least 1,000 of the employees defined as eligible by this section may be amended to provide the benefits specified by this section and assigned to the Commissioner of Administrative and Financial Services for the benefit of all those eligible under this section. The company or companies or nonprofit organizations must be licensed under the laws of the State, when applicable. The policy provisions are subject to and as provided for by the insurance laws of this State, when applicable. Notwithstanding any other provisions of law, the term of a contract executed with a successful bidder may not exceed 3 years unless extended in one-year increments for up to 3 additional years.

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

Effective May 11, 2017.

## CHAPTER 57

### H.P. 605 - L.D. 856

#### An Act To Extend the Germination Testing Period for Cool-weather Lawn and Turf Seed from 9 to 15 Months

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

**Sec. 1. 7 MRSA §1044, sub-§1, ¶A** is amended to read:

A. Unless the test to determine the percentage of germination required by section 1043 ~~shall have~~ has been completed within a 9-month period, exclusive of the calendar month in which the test was completed, immediately prior to sale, exposure for sale or offering for sale or transportation except that, with regard to cool-weather lawn and turf seed, that test must have been completed within a 15-month period pursuant to this paragraph. As used in this paragraph, "cool-weather lawn and turf seed" includes Kentucky bluegrass, red fescue, Chewing's fescue, hard fescue, tall fescue, perennial ryegrass, intermediate ryegrass, annual ryegrass, colonial bentgrass and creeping bentgrass;

See title page for effective date.

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## CHAPTER 58

H.P. 477 - L.D. 686

### An Act To Remove Restrictions on the Membership of Regional Water Councils

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

**Sec. 1. 35-A MRSA §6801**, as enacted by PL 2005, c. 209, §1, is amended to read:

#### §6801. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

**1. Regional water council.** "Regional water council" means a nonprofit corporation established for the benefit of 2 or more ~~water utilities~~ water-related entities pursuant to this chapter, where at least one of the organizing members is a water utility.

**2. Water-related entity.** "Water-related entity" means a water utility or a municipal or quasi-municipal entity owning, controlling, operating or managing sewer, sanitary or storm water works.

**Sec. 2. 35-A MRSA §6802**, as enacted by PL 2005, c. 209, §1, is amended to read:

#### §6802. Regional water councils authorized

Two or more ~~water utilities~~ water-related entities may organize a regional water council by forming a nonprofit corporation under Title 13-B, ~~the~~ as long as one of the organizing members is a water utility. The membership of ~~which~~ a regional water council is restricted to ~~water utilities~~ water-related entities. A water utility is not required to become a member of a regional water council.

**Sec. 3. 35-A MRSA §6803**, as enacted by PL 2005, c. 209, §1, is amended to read:

#### §6803. Council organization

The organizational documents of a regional water council must provide for representation of each member. The documents must specify the organizational structure, the method of withdrawal, the method of terminating the council and the grounds for suspension of ~~member water utilities~~ members.

**Sec. 4. 35-A MRSA §6804, sub-§1, ¶D**, as enacted by PL 2005, c. 209, §1, is amended to read:

D. Exercise its powers and authority as a nonprofit corporation under Title 13-B as necessary or desirable for dealing with issues of local or regional significance to its members, except that it may not exercise any power or authority that

would cause the regional water council to become a ~~water utility~~ water-related entity within this State.

**Sec. 5. 35-A MRSA §6807**, as enacted by PL 2005, c. 209, §1, is amended to read:

#### §6807. Finances; annual report

**1. Expenses.** The ~~member water utilities~~ members of a regional water council may contribute funds to meet the expenses of the council. Services of personnel, use of equipment and office space and other necessary services may be accepted from members as part of their financial support.

**2. Funds; limitation.** A regional water council may accept funds, grants, gifts and services from:

- A. The Federal Government;
- B. The State or its departments, agencies or instrumentalities;
- C. Any governmental unit not specified in paragraph A or B, whether participating in the regional water council or not; and
- D. Private and public sources.

A fund, grant, gift or service of the State or its departments, agencies or instrumentalities otherwise available to ~~water utilities~~ water-related entities may not be made conditional on a ~~water utility's~~ water-related entity's membership in a regional water council.

**3. Report.** A regional water council shall make an annual report ~~of its~~ including a statement of financial activities to the ~~member~~ utilities water-related entities. The report must be filed with the Public Utilities Commission and the drinking water program of the Department of Health and Human Services.

See title page for effective date.

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## CHAPTER 59

S.P. 209 - L.D. 594

### An Act To Modify the Definition of "General Use Pesticide"

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

**Sec. 1. 22 MRSA §1471-C, sub-§11-B**, as enacted by PL 1987, c. 723, §2, is amended to read:

**11-B. General use pesticide.** "General use pesticide" means any pesticide ~~which has been registered by the United States Environmental Protection Agency as evidenced by a registration number on the label that is required to be registered by the board pursuant to Title 7, chapter 103, subchapter 2-A and which that is not a restricted use or limited use pesticide, as defined in this section.~~ Pesticides restricted by the United

~~States Environmental Protection Agency are so identified on the label. Pesticides restricted or limited by the Board of Pesticides Control board are listed by the board.~~

See title page for effective date.

**CHAPTER 60**

**H.P. 267 - L.D. 361**

**An Act To Ensure Fair Compensation for Licensed Insurance Agents**

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

**Sec. 1. 24-A MRSA §2189** is enacted to read:

**§2189. Requirements related to enrollment in health plans**

**1. Definition.** As used in this section, unless the context otherwise indicates, "exchange" has the same meaning as in section 2188, subsection 1, paragraph A.

**2. Requirements.** An insurer that offers a health plan in this State through the exchange or outside of the exchange shall pay a commission to a licensed insurance producer appointed by or contracted with the insurer for the enrollment of an individual or employee in a health plan during any annual or special enrollment period.

A commission paid to a licensed insurance producer appointed by or contracted with the insurer for enrollment in a health plan during any special enrollment period must be equal to the commission paid for enrollment during the insurer's annual enrollment period.

**3. Commission on health plan enrollment initially completed during special enrollment period.** An insurer may not eliminate, restrict or limit the payment of a commission to a licensed insurance producer appointed by or contracted with the insurer for the enrollment of an individual or employee in a health plan during any annual enrollment period on the basis that the producer was not paid a commission for the enrollment of the same individual or employee by the producer in a prior plan year during a special enrollment period.

**Sec. 2. Application.** The requirements of this Act apply to all health plans executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2018. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

See title page for effective date.

**CHAPTER 61**

**H.P. 154 - L.D. 198**

**An Act To Protect Landlords from Lawsuits for Damage or Harm Caused by Assistance Animals**

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

**Sec. 1. 14 MRSA §6030-G** is enacted to read:

**§6030-G. Injuries or property damage involving an assistance animal**

**1. No liability.** The owner, lessor, sublessor, managing agent or other person having the right to sell, rent, lease or manage a dwelling unit or any of their agents is not liable in a civil action for personal injury, death, property damage or other damages resulting from or arising out of an occurrence involving an assistance animal at the dwelling unit.

**2. Exceptions.** Subsection 1 does not limit the liability of the owner, lessor, sublessor, managing agent or other person having the right to sell, rent, lease or manage a dwelling unit or any of their agents:

**A.** In cases of gross negligence, recklessness or intentional misconduct on the part of the owner, lessor, sublessor, managing agent or other person having the right to sell, rent, lease or manage a dwelling unit or any of their agents; or

**B.** When the assistance animal is owned by or in the care of the owner, lessor, sublessor, managing agent or other person having the right to sell, rent, lease or manage a dwelling unit or any of their agents.

See title page for effective date.

**CHAPTER 62**

**S.P. 179 - L.D. 518**

**An Act To Amend the Laws Governing the Burial or Cremation of Certain Persons**

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

**Sec. 1. 22 MRSA §4313, sub-§2,** as amended by PL 2007, c. 411, §1, is further amended to read:

**2. Burial or cremation.** In the event of the death of an eligible person, the funeral director shall notify the overseer prior to burial or cremation or by the end of 3 business days following the funeral director's receipt of the body, whichever is earlier. Notwithstanding section 4305, subsection 3, paragraph C, a decision on any application for assistance with burial expenses need not be rendered until the overseer has verified

that ~~no~~ a relative or other resource is not available to pay for the direct burial or cremation costs, but the decision must be rendered within 8 days after receiving an application. The father, mother, grandfather, grandmother, children or grandchildren, by consanguinity, ~~living within or owning real or tangible property within the State, or the spouse or registered domestic partner~~ are responsible for the burial or cremation costs of the eligible person in proportion to their respective abilities. When no legally liable relative possesses a financial capacity to pay either in lump sum or on an installment basis for the direct costs of a burial or cremation, the contribution of a municipality under this subsection is limited to a reasonable calculation of the funeral director's direct costs, less any and all contributions from any other source. For the purposes of this subsection, "registered domestic partner" means an individual registered as a domestic partner under section 2710, subsection 3.

See title page for effective date.

## CHAPTER 63

### S.P. 208 - L.D. 593

#### An Act To Update the Licensure Renewal Provision of the Board of Licensure in Medicine

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

**Sec. 1. 32 MRSA §3280-A, sub-§1, ¶B,** as enacted by PL 1993, c. 526, §2 and affected by §4, is amended to read:

B. At least 60 days prior to expiration of a current license, the board shall ~~mail to notify~~ each licensee ~~at the licensee's last known address a notice of the requirement to renew the license with appropriate application forms for the renewal. Whenever a licensee fails, prior to the expiration of the licensee's current license, to return to the board a completed application either to renew the license or to withdraw from licensure, the board shall notify the licensee as soon as possible at the licensee's last known address that the license renewal is past due. Thirty days after the notice has been sent, if the application has neither been submitted by the licensee nor returned by the United States Postal Service as undeliverable, the board shall notify the licensee by certified mail, return receipt requested, that the licensee's license has been administratively suspended for 30 days. If an administratively complete relicensure application, pursuant to subsection 3, paragraph B, has not been submitted within the 30 day period of administrative suspension, the license immediately and automatically lapses. The board may not restore the license prior to completion of the rein-~~

~~statement proceedings pursuant to subsection 4. If an administratively complete license renewal application, as determined pursuant to subsection 3, paragraph B, has not been submitted prior to the expiration date of the existing license, the license immediately and automatically expires. A license may be reinstated within 90 days after the date of expiration upon payment of the renewal fee and late fee. If an administratively complete renewal application is not submitted within 90 days of the date of the expiration of the license, the license immediately and automatically lapses. The board may reinstate a license that has lapsed pursuant to subsection 4.~~

See title page for effective date.

## CHAPTER 64

### H.P. 271 - L.D. 365

#### An Act To Waive Background Checks for the Parent of a Child Who Is the Subject of an Adoption Proceeding

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

**Sec. 1. 18-A MRSA §9-304, sub-§(a-1),** as amended by PL 2013, c. 267, Pt. B, §12, is further amended to read:

(a-1). Upon the filing of a petition for adoption of a minor child, the court shall request a background check and shall direct the department or a licensed child-placing agency to conduct a study and make a report to the court.

(1). The study must include an investigation of the conditions and antecedents of the child to determine whether the child is a proper subject for adoption and whether the proposed home is suitable for the child. The department or licensed child-placing agency shall submit the report to the court within 60 days.

(i) If the court has a report that provides sufficient, current information, the court may waive the requirement of a study and report.

(ii) If the petitioner is a blood relative of the child, the court may waive the requirement of a study and report.

(2). The court shall request a background check for each prospective adoptive parent who is not the biological parent of the child. The background check must include a screening for child abuse cases in the records of the department and criminal history record information obtained from the Maine Criminal Justice Information System and the Federal Bureau of Investigation.

(i) The criminal history record information obtained from the Maine Criminal Justice Information System must include a record of public criminal history record information as defined in Title 16, section 703, subsection 8.

(ii) The criminal history record information obtained from the Federal Bureau of Investigation must include other state and national criminal history record information.

(iii) Each prospective parent who is not the biological parent of the child shall submit to having fingerprints taken. The State Police, upon receipt of the fingerprint card, may charge the court for the expenses incurred in processing state and national criminal history record checks. The State Police shall take or cause to be taken the applicant's fingerprints and shall forward the fingerprints to the State Bureau of Identification so that the bureau can conduct state and national criminal history record checks. Except for the portion of the payment, if any, that constitutes the processing fee charged by the Federal Bureau of Investigation, all money received by the State Police for purposes of this paragraph must be paid over to the Treasurer of State. The money must be applied to the expenses of administration incurred by the Department of Public Safety.

(iv) The subject of a Federal Bureau of Investigation criminal history record check may obtain a copy of the criminal history record check by following the procedures outlined in 28 Code of Federal Regulations, Sections 16.32 and 16.33. The subject of a state criminal history record check may inspect and review the criminal history record information pursuant to Title 16, section 709.

(v) State and federal criminal history record information may be used by the court for the purpose of screening prospective adoptive parents in determining whether the adoption is in the best interests of the child.

(vi) Information obtained pursuant to this paragraph is confidential. The results of background checks received by the court are for official use only and may not be disseminated outside the court except as required under Title 22, section 4011-A.

(vii) The expense of obtaining the information required by this paragraph is incorporated in the adoption filing fee established in section 9-301. The Probate Court shall collect the total fee and transfer the appropriate funds to the Department of Public Safety and the department.

The court may waive the background check of a prospective adoptive parent if a previous background check was completed by a court or by the department under this subsection within a reasonable period of time and the court is satisfied that nothing new that would be included in the background check has transpired since the last background check.

This subsection does not authorize the court to request a background check for the biological parent who is also the current legal parent of the child.

**Sec. 2. 18-A MRSA §9-304, sub-§(a-2)**, as amended by PL 2013, c. 267, Pt. B, §13, is further amended to read:

**(a-2).** The department may, pursuant to rules adopted by the department, at any time before the filing of the petition for adoption, conduct background checks for each prospective adoptive parent of a minor child in its custody.

(1). The department may request a background check for each prospective adoptive parent who is not the biological parent of the child. The background check must include criminal history record information obtained from the Maine Criminal Justice Information System and the Federal Bureau of Investigation.

(i) The criminal history record information obtained from the Maine Criminal Justice Information System must include a record of public criminal history record information as defined in Title 16, section 703, subsection 8.

(ii) The criminal history record information obtained from the Federal Bureau of Investigation must include other state and national criminal history record information.

(iii) Each prospective parent who is not the biological parent of the child shall submit to having fingerprints taken. The State Police, upon receipt of the fingerprint card, may charge the department for the expenses incurred in processing state and national criminal history record checks. The State Police shall take or cause to be taken the applicant's fingerprints and shall forward the fingerprints to the State Bureau of Identification so that the bureau can conduct state and national criminal history record checks. Except for the portion of the payment, if any, that constitutes the processing fee charged by the Federal Bureau of Investigation, all money received by the State Police for purposes of this paragraph must be paid over to the Treasurer of State. The money must be applied to the expenses of administration incurred by the Department of Public Safety.

(iv) The subject of a Federal Bureau of Investigation criminal history record check may obtain a copy of the criminal history record check by following the procedures outlined in 28 Code of Federal Regulations, Sections 16.32 and 16.33. The subject of a state criminal history record check may inspect and review the criminal history record information pursuant to Title 16, section 709.

(v) State and federal criminal history record information may be used by the department for the purpose of screening prospective adoptive parents in determining whether the adoption is in the best interests of the child.

(vi) Information obtained pursuant to this paragraph is confidential. The results of background checks received by the department are for official use only and may not be disseminated outside the department except to a court considering an adoption petition under subsection (a-1).

(2). Rules adopted by the department 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 65

### S.P. 57 - L.D. 138

#### An Act To Amend the Laws Governing the Sex Offender Registry

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

**Sec. 1. 34-A MRSA §11273, sub-§14, ¶A,** as enacted by PL 2011, c. 663, §3, is amended to read:

A. Title 17-A, chapter 11 including the following:

(1) Title 17-A, section 255-A, subsection 1, paragraph C, regardless of the age of the victim;

(2) Title 17-A, section 255-A, subsection 1, paragraph F-2, regardless of the age of the victim;

(3) Title 17-A, section 255-A, subsection 1, paragraph G, regardless of the age of the victim;

(3-A) Title 17-A, section 255-A, subsection 1, paragraph K, regardless of the age of the victim if the crime is committed on or after October 1, 2017;

(4) Title 17-A, section 255-A, subsection 1, paragraph Q, regardless of the age of the victim;

(5) Title 17-A, section 255-A, subsection 1, paragraph W, regardless of the age of the victim; and

(6) Title 17-A, section 255-A, subsection 1, paragraph X, regardless of the age of the victim;

**Sec. 2. 34-A MRSA §11273, sub-§15, ¶A,** as amended by PL 2015, c. 280, §10, is further amended to read:

A. Title 17-A, chapter 11 including the following:

(1) Title 17-A, section 253, subsection 2, paragraph J, regardless of the age of the victim;

(1-A) Title 17-A, section 253, subsection 2, paragraph F, regardless of the age of the victim if the crime is committed on or after October 1, 2017;

(2) Title 17-A, section 253, subsection 2, paragraph K, regardless of the age of the victim;

(3) Title 17-A, section 253, subsection 2, paragraph L, regardless of the age of the victim;

(4) Title 17-A, section 255-A, subsection 1, paragraph J, regardless of the age of the victim;

(4-A) Title 17-A, section 255-A, subsection 1, paragraph L, regardless of the age of the victim if the crime is committed on or after October 1, 2017;

(5) Title 17-A, section 255-A, subsection 1, paragraph R-1, regardless of the age of the victim;

(6) Title 17-A, section 255-A, subsection 1, paragraph R-2, regardless of the age of the victim; and

(7) Title 17-A, section 258, subsection 1-A, if the victim had not attained 12 years of age;

See title page for effective date.

## CHAPTER 66

## S.P. 172 - L.D. 511

**An Act To Amend the Laws  
Governing Domestic Violence  
and Setting Preconviction Bail**

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

**Sec. 1. 15 MRSA §1094-B, sub-§1, ¶C**, as enacted by PL 2013, c. 478, §2, is amended to read:

C. The person is notified, in writing or otherwise, by the county jail staff or a law enforcement officer not to make direct or indirect contact with the specifically identified alleged victim of the offense for which the person is being detained;

See title page for effective date.

## CHAPTER 67

## S.P. 273 - L.D. 827

**An Act To Repeal the Laws  
Governing Truck Camper  
Registration**

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

**Sec. 1. 29-A MRSA §409, sub-§§1 to 3**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, are amended to read:

**1. Collection of tax.** The Secretary of State shall act at the time and place of registration on behalf of the State Tax Assessor to collect the sales or use tax due under Title 36, Part 3 for a vehicle ~~or truck camper~~ for which an original registration is required.

**2. Documentation; payment of tax.** Registration may not be issued, unless in addition to meeting the other registration requirements of this Title, the applicant has:

A. Submitted a dealer's certificate in a form prescribed by the State Tax Assessor, showing either that:

- (1) The sales tax due has been collected by the dealer; or
- (2) The sale of the vehicle ~~or truck camper~~ is not subject to tax; or

B. Properly signed a use tax certificate in a form prescribed by the State Tax Assessor and:

- (1) Paid the amount of tax due; or
- (2) Shown that the sale or use of the vehicle ~~or truck camper~~ is not subject to tax.

**3. Collection fee.** Each official shall retain from the use taxes collected a fee of \$1.25 for each vehicle

~~or truck camper~~, even if a certificate indicates that no use tax is due.

Retained fees must be transmitted to the Treasurer of State and credited to the Highway Fund.

Taxes collected must be transmitted to the Treasurer of State and credited to the General Fund.

**Sec. 2. 29-A MRSA §409, sub-§5**, as amended by PL 2011, c. 240, §1, is further amended to read:

**5. Other taxes.** A motor vehicle, mobile home, ~~or camp trailer or truck camper~~ may not be registered until the excise tax or personal property tax or real estate tax has been paid in accordance with Title 36, sections 551, 602, 1482 and 1484. The Secretary of State may provide municipal excise tax collectors with a standard vehicle registration form for the collection of excise tax.

**Sec. 3. 29-A MRSA §502, sub-§1**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**1. Transferring registration.** A person who transfers the ownership or discontinues the use of a registered motor vehicle, trailer or semitrailer and applies for registration of another motor vehicle, trailer or semitrailer in the same registration year may use the same number plates on payment of a transfer fee of \$8, as long as the registration fee is the same as that of the former vehicle. If the fee for the vehicle to be registered is greater than the fee for the vehicle first registered, that person must also pay the difference. If application is made for a ~~truck camper or a trailer~~ with a gross weight of 2,000 pounds or less, the transfer fee is \$5.

**Sec. 4. 29-A MRSA §503, sub-§1**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**1. Replacements.** Replacement registration plates are furnished to replace lost or mutilated plates or plates assigned to the registrant that have not been expired for more than 8 months. The fee for each plate is \$5.

Replacement registration validation devices for number plates ~~or truck campers~~ are furnished for 50¢ each.

**Sec. 5. 29-A MRSA §508**, as amended by PL 1999, c. 790, Pt. C, §10 and affected by §19, is repealed.

See title page for effective date.

## CHAPTER 68

## H.P. 633 - L.D. 905

**An Act To Authorize the  
Construction of a Maine  
Turnpike Connector to  
Gorham**

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

**Sec. 1. 23 MRSA §1964, sub-§3-A** is enacted to read:

**3-A. Connector.** "Connector" means a section of highway owned by the authority for purposes of connecting the turnpike to the state highway system.

**Sec. 2. 23 MRSA §1965, sub-§1, ¶D-2** is enacted to read:

D-2. Construct, maintain, reconstruct and operate a connector in Cumberland County from Route 114 in South Gorham to an interchange on the turnpike to address safety and mobility deficiencies in a manner that maximizes public safety, enhances the mobility of people and goods and minimizes adverse effects on the community in accordance with local and regional comprehensive planning;

**Sec. 3. 23 MRSA §1965-C** is enacted to read:

**§1965-C. Construction of a connector to Gorham**

**1. Evaluation of reasonable alternatives.** The authority and the department shall evaluate reasonable alternatives to the building of a connector to Gorham in Cumberland County from Route 114 in South Gorham to an interchange on the turnpike by completing an alternative mode feasibility study.

The authority in cooperation with the department shall update the evaluations with public participation to satisfy the requirements of section 73 and rules adopted pursuant to that section.

**2. Review of alternatives.** Upon completing the evaluation and update required under subsection 1, the authority shall determine whether the alternatives are sufficient to meet long-term regional transportation needs, to correct deficiencies and to fulfill mobility requirements of the region safely and at reasonable cost, using available technology. If the authority finds that the alternatives are not sufficient:

A. A final license, permit or approval necessary for construction may be issued by the appropriate state agency; and

B. The alternative evaluation and preference requirements of section 73 and rules adopted pursuant to that section are considered satisfied.

**Sec. 4. 23 MRSA §1968, sub-§2-D** is enacted to read:

**2-D. Bonds for construction of a connector to Gorham.** In addition to bonds outstanding pursuant to any other provision of this chapter, the authority may provide by resolution for the issuance of special obligation or subordinate bonds, including notes or other evidences of indebtedness or obligations defined to be bonds under this chapter, not exceeding \$150,000,000 in aggregate principal amount exclusive of refundings, to pay for planning, design and construction of a connector to Gorham as described in section 1965-C.

**Sec. 5. 23 MRSA §1973, sub-§3**, as amended by PL 1995, c. 65, Pt. A, §63 and affected by §153 and Pt. C, §15, is further amended to read:

**3. Tolls.** Tolls, or the fixing of tolls, is not rule-making and is not subject to supervision or regulation by any state commission, board or agency. Subject to subsection 4, the authority may fix and revise from time to time tolls for the use of the turnpike and the different parts or sections of the turnpike, including, but not limited to, a connector, and charge and collect the tolls, and contract with any person, partnership, association or corporation desiring the use of any part of the turnpike, including the right-of-way adjoining the paved portion. The tolls must be so fixed and adjusted as to provide a fund at least sufficient with other revenues of the turnpike, if any, to pay for each fiscal year:

A. The cost of maintaining, repairing and operating the turnpike, and providing and maintaining reasonable reserves for those costs;

B. The bonds and the interest on those bonds, and all sinking fund requirements, and other requirements provided by the resolution authorizing issuance of the bonds or by the trust indenture or loan or a security agreement as those bonds, interest, sinking fund requirements and other requirements become due;

C. Those sums for the purpose of maintaining, constructing or reconstructing access roads or portions of access roads that have been requested by the department and in the sole discretion of the authority are from time to time determined to warrant the expenditure of turnpike revenues; and

D. The cost of maintaining, constructing or reconstructing interchanges.

The authority may use any method for assessing and collecting tolls, including but not limited to toll tickets, barrier toll facilities, billing accounts, commuter passes and electronic recording or identification devices. The display of a recording or identification device issued or authorized by the authority for these purposes on or near the windshield of a motor vehicle is not a violation of a law or rule, including but not limited to Title 29-A, sections 1916 and 2082, unless the device is attached in a way that obstructs the

driver's clear view of the highway or an intersecting highway.

See title page for effective date.

## CHAPTER 69

### S.P. 109 - L.D. 343

#### An Act To Prohibit the Discharge of a Firearm within 300 Feet of a State-owned Boat Launching Ramp

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

**Sec. 1.** 12 MRSA §11209-A is enacted to read:

#### §11209-A. Discharge of firearm within 300 feet of state-owned boat launching ramp

**1. Prohibition.** A person may not discharge a firearm within 300 feet of a state-owned boat launching ramp that is posted in accordance with subsection 2.

**2. Posting.** An agency of the State having jurisdiction over a state-owned boat launching ramp may post notice, in a prominent location at the boat launching ramp, that the discharge of a firearm is prohibited within 300 feet of the boat launching ramp.

**3. Exception.** This section does not apply to a law enforcement officer in the performance of the law enforcement officer's official duties.

**4. Penalty.** A person who violates subsection 1 commits a Class E crime.

See title page for effective date.

## CHAPTER 70

### H.P. 339 - L.D. 476

#### An Act To Clarify the Authority for Cremation

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

**Sec. 1.** 22 MRSA §2843-A, sub-§2, as amended by PL 2011, c. 387, §1, is further amended to read:

**2. Custody and control generally.** The custody and control of the remains of deceased residents of this State, dead bodies or dead human bodies are governed by the following provisions in the following order of priority:

A. If the subject has designated another person to have custody and control in a written and signed

document, custody and control belong to that designated person;

B. If the subject has not left a written and signed document designating a person to have custody and control, or if the person designated by the subject refuses custody and control, custody and control belong to the next of kin; and

C. If the next of kin is 2 or more persons with the same relationship to the subject, the majority of the next of kin have custody and control. If the next of kin can not, by majority vote, make a decision regarding the subject's remains, the court shall make the decision upon petition under subsection 4, paragraph D.

If a person who has the right of custody and control under this subsection does not exercise the rights and responsibilities of custody and control within 4 days after the death of the subject, custody and control belong to a person from the next lower level of priority as established in paragraphs A to C.

A person who has been charged with murder, as described in Title 17-A, section 201, or manslaughter, as described in Title 17-A, section 203, subsection 1, paragraph B, forfeits the right of custody and control provided under this subsection; and a funeral director or practitioner of funeral service who is aware of the charges may not release the remains or a dead body to that person who has been charged with murder or manslaughter. If the charges against the person are dismissed or the person is acquitted of the charges before the final disposition takes place, the person regains the right of custody and control in the same position of priority established in this subsection.

The remains or a dead body is considered abandoned if no one takes custody and control of the remains or dead body for a period of 15 days. A funeral director or practitioner of funeral service who has physical possession of abandoned remains or an abandoned dead body may bury or cremate the remains or dead body. The funeral director or practitioner of funeral service may embalm or refrigerate abandoned remains or an abandoned dead body without authorization. A certificate of abandonment that indicates the means of disposition must be filed in the municipality where the death occurred.

See title page for effective date.

## CHAPTER 71

### H.P. 346 - L.D. 483

#### An Act To Improve Enforcement of Snowmobile Noise Levels

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

**Sec. 1. 12 MRSA §13106-A, sub-§14**, as amended by PL 2009, c. 340, §20, is repealed.

**Sec. 2. 12 MRSA §13106-A, sub-§14-A** is enacted to read:

**14-A. Snowmobile noise requirements.** This subsection governs noise level requirements for snowmobiles.

A. Except as provided in section 13112, a person may not:

(1) Operate a snowmobile manufactured after February 1, 2007 that does not display on its exhaust silencer a visible, unaltered certification marking issued by an independent organization that certifies snowmobiles for uniformity of safety features and noise levels;

(2) Operate a snowmobile manufactured after October 1, 1985 that emits total vehicle noise greater than 78 decibels of sound pressure level at 50 feet on the "A" scale, as measured by the SAE standards J-192; or

(3) Operate a snowmobile with an exhaust system that has been modified in a manner that amplifies or otherwise increases total noise emission above that of the snowmobile as originally constructed, regardless of the date of manufacture.

A snowmobile manufactured on or before October 1, 1973 is not subject to a specific noise level, except that a person may not operate a snowmobile modified in violation of subparagraph (3).

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 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. 3. 12 MRSA §13112**, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §400 and affected by §422, is further amended to read:

#### **§13112. Racing meets**

Notwithstanding section 10650 and section 13106-A, subsections ~~14~~ 14-A, 15 and 16, snowmobiles operated at a prearranged racing meet whose sponsor has obtained a permit to hold such a meet from the commissioner are exempt from the provisions of this chapter concerning registration, noise, horsepower and lights during the time of operation at such

meets and at all pre-race practices at the location of the meet.

See title page for effective date.

## CHAPTER 72

### H.P. 394 - L.D. 552

#### An Act To Amend Maine's Fish and Wildlife Licensing Laws

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

**Sec. 1. 12 MRSA §10853, sub-§17** is enacted to read:

**17. Group fishing license for persons with disabilities.** In addition to other licenses issued by the commissioner pursuant to this section, the commissioner may issue a complimentary group fishing license to a person or entity that allows a group of persons with disabilities to fish in a location for a period of time as specified on the license.

**Sec. 2. 12 MRSA §11154, sub-§5**, as amended by PL 2011, c. 370, §5, is further amended to read:

**5. Eligibility.** Except as provided in this subsection, a resident, nonresident or alien who is eligible to obtain a Maine hunting license or who will be eligible to obtain a Maine hunting license by the opening day of the open moose season is eligible to apply for a moose hunting permit. ~~Beginning in 2011, a~~ A person who has obtained a moose hunting permit is ineligible to obtain another permit until ~~3 years have elapsed~~ the 4th calendar year after the issuance of the last permit. This limitation does not apply to subpermittees under subsection 7.

**Sec. 3. 12 MRSA §12953, sub-§4**, as amended by PL 2015, c. 281, Pt. F, §2, is further amended to read:

**4. Examination.** An applicant for a license shall appear at a time and place designated by the commissioner to be examined by means of written, practical and oral tests as the commissioner determines. The commissioner shall determine the form and content of examinations. ~~The examination fee is \$50 and is non-refundable. An applicant may retake the examination once without paying an additional examination fee.~~

**Sec. 4. 12 MRSA §12953, sub-§6**, as amended by PL 2015, c. 281, Pt. F, §3, is further amended to read:

**6. License and fee.** License applicants who successfully meet the qualifications set forth in this section must be issued a license upon payment of a \$77 fee for a 3-year license. This fee is in addition to the

\$50 examination application fee required for a first-time applicant.

See title page for effective date.

## CHAPTER 73

### H.P. 534 - L.D. 754

#### An Act To Repeal or Clean Up Outdated Telecommunications Statutes

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

**Sec. 1. 35-A MRSA §303**, as amended by PL 1987, c. 613, §2, is further amended to read:

#### **§303. Valuation of property for fixing rates**

In determining just and reasonable rates, tolls and charges, the commission shall fix a reasonable value upon all the property of a public utility and upon an electric plant to the extent paid for by the utility on the premises of any of its customers, ~~which that~~ is used or required to be used in its service to the public within the State and a fair return on that property. In fixing a reasonable value, the commission shall give due consideration to evidence of the cost of the property when first devoted to public use and the prudent acquisition cost to the utility, less depreciation on each, and any other material and relevant factors or evidence, but the other factors ~~shall~~ may not include current value. In making a valuation, the commission may consult reports, records or other information available to it in the office of any state office or board.

This section does not apply to a price cap ILEC as defined in section 7102, subsection 6-A.

**Sec. 2. 35-A MRSA §7101-B, sub-§2**, as repealed and replaced by PL 2003, c. 101, §1, is repealed.

**Sec. 3. 35-A MRSA §7101-B, sub-§3**, as enacted by PL 1997, c. 259, §1, is repealed.

**Sec. 4. 35-A MRSA §7101-B, sub-§4** is enacted to read:

**4. Access rates.** The commission shall ensure that intrastate access rates are just and reasonable and consistent with federal law. The commission may 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. 5. 35-A MRSA §7303**, as enacted by PL 1987, c. 141, Pt. A, §6, is repealed.

**Sec. 6. 35-A MRSA §7304**, as repealed and replaced by PL 1991, c. 54, §1 and affected by §2, is repealed.

**Sec. 7. 35-A MRSA §7306**, as enacted by PL 1991, c. 318, §1, is repealed.

**Sec. 8. 35-A MRSA §7307**, as amended by PL 2007, c. 478, §2, is repealed.

**Sec. 9. 35-A MRSA §7308**, as enacted by PL 2007, c. 511, §1, is repealed.

**Sec. 10. 35-A MRSA §7501-B**, as enacted by PL 2011, c. 623, Pt. A, §21, is amended to read:

#### **§7501-B. Directories**

A telephone utility is not required to publish a hard-copy telephone directory. ~~A~~ If a provider of provider of last resort service discontinues publishing a hard-copy directory, it shall annually offer its provider of last resort service customers the option to receive a telephone directory in an electronic format or in the form of a printout of the electronic database showing the names, addresses and telephone numbers of persons and businesses, other than of those who have requested unlisted numbers. The service provider shall annually provide notice to each of its provider of last resort service customers of this option.

See title page for effective date.

## CHAPTER 74

### S.P. 248 - L.D. 803

#### An Act To Improve Transparency in the Electricity Supply Market

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

**Sec. 1. 35-A MRSA §3203, sub-§§4-B and 4-C** are enacted to read:

**4-B. Residential consumer protections.** As a condition of licensing, a competitive electricity provider that provides or proposes to provide generation service to a residential consumer:

A. Shall disclose, before entering into an agreement to provide service to a residential consumer, to the residential consumer where the residential consumer can obtain information with which to compare the service provided by the competitive electricity provider and the standard-offer service;

B. May not renew a contract for generation service without providing a residential consumer with notice of renewal in advance by mail;

C. May not renew a contract for generation service at a fixed rate that is 20% or more above the contract rate in the expiring contract without the express consent of the residential consumer;

D. May not renew a contract for generation service for a term that is longer than the term of the

expiring contract or 12 months, whichever is shorter, without the express consent of the residential consumer; and

E. May not impose an early termination fee for any contract for generation service that was renewed without express consent from the residential consumer.

If a residential consumer does not provide the express consent required by paragraphs C and D, the residential consumer must be transferred to standard-offer service.

**4-C. Residential consumer protection through transmission and distribution utility bill information.** The monthly utility bill for a residential consumer that elects to receive generation service from a competitive electricity provider must contain the following:

A. A website address or other resource that residential consumers can access to obtain information that provides independent information as determined by the commission that allows residential consumers to compare terms, conditions and rates of electricity supply; and

B. A statement that directs the residential consumer to the competitive electricity provider for more information on the residential consumer's contract, including its terms, and that provides the telephone number of the competitive electricity provider.

**Sec. 2. Report.** The Public Utilities Commission in consultation with the Public Advocate shall conduct an analysis to determine the difference in price, if any, residential consumers paid for generation service by purchasing from a competitive electricity provider instead of receiving standard-offer service between 2014 and 2016. In evaluating any price difference, the Public Utilities Commission shall include, where possible, if and how the product purchased by the residential consumer differed from standard-offer service. The Public Utilities Commission shall report the findings of the analysis to the Joint Standing Committee on Energy, Utilities and Technology by February 15, 2018. The report may include recommendations. The joint standing committee may report out a bill based on the report to the Second Regular Session of the 128th Legislature.

See title page for effective date.

## CHAPTER 75

### S.P. 473 - L.D. 1386

#### An Act To Clarify the Public Nature of Annual Statements of Life Settlement Providers

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

**Sec. 1. 24-A MRSA §6806, sub-§1,** as amended by PL 2009, c. 376, §8, is further amended to read:

**1. Annual report.** A settlement provider licensee shall file with the superintendent by March 1st of each year an annual statement containing such information as the superintendent prescribes by rule, including information related to settlement transactions on policies settled within 5 years of policy issuance. The superintendent may not adopt any rule that requires the submission of information that permits the identification of a viator or relates to transactions when the viator is not a resident of this State. The superintendent may not request, collect or compile personal information that identifies any viator or insured except in connection with the investigation of a specific complaint and with the prior written permission of the viator or insured or the viator's or insured's estate or representative to collect that information. The annual statement required by this subsection and by rule of the superintendent is a public record within the meaning of Title 1, chapter 13, subchapter 1.

See title page for effective date.

## CHAPTER 76

### H.P. 395 - L.D. 553

#### An Act To Offer Hunters 65 Years of Age or Older Who Have Accumulated at Least 30 Points a Guaranteed Moose Permit

**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 allows a resident 70 years of age or older who has accumulated the necessary number of points to be awarded a moose hunting permit without participating in the public chance lottery for a moose permit; and

**Whereas,** many residents 70 years of age and older are unable to hunt moose at that age; and

**Whereas,** residents 65 years of age and older are better able to hunt moose if awarded a moose hunting permit; and

**Whereas**, this legislation must take effect before the end of the 90-day period so that it takes effect in time for the upcoming moose hunting 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 §11154, sub-§9**, as amended by PL 2013, c. 226, §1, is further amended to read:

**9. Selection procedure.** Permittees are selected by a public chance drawing, except that a permit must be issued to any resident who is ~~70~~ 65 years of age or older or will attain ~~70~~ 65 years of age during the calendar year in which the resident is applying for the permit, who has accumulated at least 30 points pursuant to subsection 8 and who applies for and is otherwise eligible to obtain the permit.

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

Effective May 21, 2017.

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## CHAPTER 77

### H.P. 601 - L.D. 852

#### An Act To Make Changes to the Maine Liquor Liability Act

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

**Sec. 1. 28-A MRSA §2513**, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

#### §2513. Notice required

Every plaintiff seeking damages under this Act must give written notice to all defendants within 180 days of the date of the server's conduct creating liability under this Act. The notice must specify the time, place and circumstances of the server's conduct creating liability under this Act and the time, place and circumstances of any resulting damages. No error or omission in the notice voids the effect of the notice, if otherwise valid, unless the error or omission is substantially material. Failure to give written notice within the time specified is grounds for dismissal of a claim, unless the plaintiff provides written notice within the limits of section 2514 and shows good cause why notice could not have reasonably been filed within the 180-day limit. For purposes of this section, "good cause" includes but is not limited to the inability

of the plaintiff to obtain investigative records from a law enforcement officer or law enforcement agency.

See title page for effective date.

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## CHAPTER 78

### H.P. 686 - L.D. 973

#### An Act To Allow the Waldo County Budget Committee To Appoint Replacement 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**, the budgets of counties are important undertakings requiring the participation of representatives of municipalities throughout the county; and

**Whereas**, when a vacancy occurs in a county budget committee, it reduces the ability of the budget committee to adequately represent all of its constituents and makes the task of creating a county budget more difficult; and

**Whereas**, county budget committees need adequate and prompt mechanisms to fill a vacancy when a municipality of a vacating member is unwilling or unable to fill the vacancy so that the budget committee can timely and efficiently produce a budget representing the interests of the entire county; and

**Whereas**, there may be a need to replace committee members before the next budget cycle; 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 §853, sub-§4**, 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:

**4. Vacancies.** A vacancy occurring on the budget committee ~~shall~~ must be filled by the committee for the balance of the unexpired term. The person appointed to fill the vacant office must be a municipal officer from the same municipality as the person vacating the office. If the municipality of the person vacating the office declines to send a new member, the committee may solicit another municipality in the same district as the municipality of the vacating member that does not have a member sitting on the committee to send a municipal officer to fill the vacancy.

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

Effective May 21, 2017.

## CHAPTER 79

### H.P. 626 - L.D. 877

#### An Act To Allow Learner's Permits To Be Issued by Driver Education Schools

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

**Sec. 1. 29-A MRSA §1304, sub-§1-A,** as amended by PL 2015, c. 114, §1, is further amended to read:

**1-A. Learner's permit; issuance.** The following provisions apply to the issuance of a learner's permit.

A. Fees for a learner's permit may be collected ~~only~~ by the Secretary of State in accordance with section 154, subsection 1 or by the provider of a driver education course under section 1351, which shall deposit the fees with the Secretary of State.

B. Any required application materials for a learner's permit may be collected ~~only~~ by the Secretary of State or by the provider of a driver education course under section 1351, which shall forward the materials to the Secretary of State.

C. Any required examination for a learner's permit may be administered only by the Secretary of State except that the Secretary of State may waive this requirement on receipt of a course completion certificate under section 1351, subsection 3.

D. A learner's permit may be issued ~~only~~ by the Secretary of State or by the provider of a driver education course under section 1351.

See title page for effective date.

## CHAPTER 80

### H.P. 581 - L.D. 801

#### An Act To Allow a Physical Therapist To Administer Certain Coagulation Tests in a Patient's Home

**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 need for home care medical services is rapidly increasing as Maine's population ages

and the prevalence of chronic conditions increases; and

**Whereas,** providing health services in the home keeps people out of more costly institutional settings and allows people to live at home for as long as it is safe and practical for them to do so; and

**Whereas,** home health care services are provided by collaborative teams of nurses, therapists, aides and others and the industry is facing critical workforce challenges; and

**Whereas,** physical therapists who are already visiting patients in their homes have more than adequate education to perform finger stick blood tests to assess blood clotting levels, and allowing them to perform these tests will save the expense of sending nurses to the patients' homes to perform these tasks; and

**Whereas,** delaying the effective date of this bill will add to the financial and workforce challenges faced by the home health care 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. 32 MRSA §3111-A,** as enacted by PL 2007, c. 402, Pt. N, §2, is amended by adding at the end a new paragraph to read:

A person licensed as a physical therapist under this chapter may, as part of an evaluation of a person in preparation for treatment by the physical therapist, perform a finger stick blood test in the person's home to assess blood clotting levels of that person. If a person licensed as a physical therapist performs a finger stick blood test pursuant to this section, that person shall communicate the test results to the prescribing health care practitioner. Only the health care practitioner may interpret the test results, determine whether a change is needed in the person's plan of care and make decisions with respect to medication adjustments.

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

Effective May 26, 2017.

**CHAPTER 81  
H.P. 256 - L.D. 350**

**An Act To Repeal Certain  
Requirements Concerning the  
Sale and Purchase of Firearms**

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

**Sec. 1. 15 MRSA §455**, as repealed and re-  
placed by PL 2003, c. 452, Pt. H, §1 and affected by  
Pt. X, §2, is amended to read:

**§455. Record of sales of firearms**

**1. Forms.** A dealer may not:

~~A. Sell, let or loan a firearm to a person without  
making a copy of the form a dealer must keep as  
prescribed by 18 United States Code, Section 923.  
The copy must be made and marked as "STATE  
COPY" before the firearm is delivered; or~~

~~B. Refuse to show or refuse to allow inspection  
of a copy of the form described in paragraph A to  
a sheriff, deputy sheriff, police officer, constable,  
game warden or prosecuting attorney.~~

~~A person who violates this subsection commits a civil  
violation for which a fine of \$50 may be adjudged.~~

1-A. Form. A firearms dealer may not refuse to  
show or refuse to allow inspection of the form a dealer  
must keep as prescribed by 18 United States Code,  
Section 923 to a law enforcement officer as defined in  
Title 17-A, section 2, subsection 17 upon presentation  
of a formal written request for inspection stating that  
the form relates to an active criminal investigation.

A person who violates this subsection commits a civil  
violation for which a fine of \$50 may be adjudged.

**2. False or fictitious name.** A person may not  
give a false or fictitious name to a firearms dealer. A  
person who violates this subsection commits a civil  
violation for which a fine of \$50 may be adjudged.

**3. Exception.** This section does not apply to a  
firearms wholesaler who sells only to other firearms  
dealers or to a firearms manufacturer who sells only at  
wholesale.

See title page for effective date.

**CHAPTER 82  
H.P. 306 - L.D. 426**

**An Act To Allow Hunters  
Whose Religion Prohibits  
Wearing Hunter Orange  
Clothing To Instead Wear Red**

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

**Sec. 1. 12 MRSA §11203, sub-§1-A** is en-  
acted to read:

1-A. Religious opposition exemption. A person  
may substitute articles of bright red clothing for the  
articles of hunter orange clothing required under sub-  
section 1 if the person has a religious opposition to the  
wearing of hunter orange clothing.

**Sec. 2. Department of Inland Fisheries  
and Wildlife to amend rules.** The Department of  
Inland Fisheries and Wildlife shall amend Rule Chap-  
ter 4: Hunting and Trapping to clarify that a person  
who has a religious opposition to the wearing of  
hunter orange clothing may substitute articles of red  
clothing for the articles of hunter orange clothing re-  
quired by current law. Rules amended pursuant to this  
section are routine technical rules as defined in the  
Maine Revised Statutes, Title 5, chapter 375, subchap-  
ter 2-A.

See title page for effective date.

**CHAPTER 83  
H.P. 814 - L.D. 1151**

**An Act To Allow Promotional  
Allowances by Gas Utilities**

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

**Sec. 1. 35-A MRSA §4706-C** is enacted to  
read:

**§4706-C. Promotional allowances**

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

A. "Promotional allowance" means any rebate,  
discount, credit or other promotion offered or  
provided by a gas utility to customers or potential  
customers for the purpose of encouraging custom-  
ers or potential customers to select or use the ser-  
vice or increase usage of the service of that utility;  
to select, purchase, install or use any appliance or  
equipment designed to use that utility's service; or  
to use any other particular service of that utility.

**2. Promotional allowance allowed.** Notwith-  
standing sections 302-A and 703, a gas utility, without  
prior notice or approval from the commission, may  
offer or provide a promotional allowance.

**3. Filing of schedules of rates.** Notwithstand-  
ing section 307, schedules of rates that provide for promo-  
tional allowances take effect when filed with the  
commission, unless a later effective date is specified in  
the filing. A copy of the filing must also be provided  
simultaneously to the Efficiency Maine Trust, estab-  
lished in chapter 97.

**4. Rate-making treatment.** This section does not limit the commission's authority in any rate case or alternative rate-making proceeding to disallow, in whole or in part, any expense of a gas utility that the commission finds to be unjust, unreasonable, excessive or unwarranted. A gas utility may not recover from any person other than its shareholders or other owners any expenditures, contributions, expenses or costs incurred by that utility with respect to promotional allowances.

See title page for effective date.

## CHAPTER 84

### S.P. 382 - L.D. 1161

#### An Act To Amend the Insurance Laws Governing the Provision of Rebates

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

**Sec. 1. 24-A MRSA §2163-A**, as amended by PL 1999, c. 8, §1, is repealed and the following enacted in its place:

#### **§2163-A. Permitted activities**

**1. Permissible gifts and prizes.** Notwithstanding any other provision in sections 2160 to 2163, an insurer, an employee of an insurer or a producer may offer to give gifts in connection with marketing for the sale or retention of contracts of insurance, as long as the cost does not exceed \$100 per year per person, and conduct raffles or drawings, as long as there is no participation cost to entrants and as long as the prizes are not valued in excess of \$500. Nothing in sections 2160 to 2163 may be construed to prohibit an insurance producer from receiving a fee rather than commission on the sale of property and casualty insurance in accordance with section 1450 and rules adopted by the superintendent.

Gifts and prizes given pursuant to this section may not be in the form of cash.

**2. Permissible value-added service or activity.** An insurer, an employee of an insurer or a producer may offer to provide a value-added service or activity, offered or provided without fee or at a reduced fee, that is related to the coverage provided by an insurance contract if the provision of the value-added service or activity does not violate any other applicable statute or rule and is:

A. Clearly identified and included within the insurance contract; or

B. Directly related to the servicing of the insurance contract or offered or undertaken to provide risk control for the benefit of a client.

**3. Services for free or for less than fair market value.** This section does not prohibit a person from offering or providing services, whether or not the services are directly related to an insurance contract, for free or for less than fair market value as long as the receipt of the services is not contingent upon the purchase of insurance and the services are offered on the same terms to all potential insurance customers. A person that offers or provides services under this subsection for free or for less than fair market value shall disclose conspicuously in writing to the recipient before the purchase of insurance, receipt of a quote for insurance or designation of an agent of record that receipt of the services is not contingent on the purchase of insurance.

**4. Rules.** The superintendent may adopt rules as necessary to make reasonable modifications to the standards in this section. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

## CHAPTER 85

### S.P. 46 - L.D. 98

#### An Act To Provide Greater Authority to the Department of Inland Fisheries and Wildlife over the Management of Wild Turkeys

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

**Sec. 1. 12 MRSA §10953, sub-§1, ¶B**, as enacted by PL 2013, c. 236, §3, is amended to read:

B. Hunt wild turkey with a crossbow ~~during the spring open season on wild turkey~~ in areas open to wild turkey hunting as established by rule in section 11701, ~~except that a person may not hunt wild turkey with a crossbow from October 1st until the first day of the open season established by the commissioner in the following year;~~

**Sec. 2. 12 MRSA §11155, sub-§1-C**, as enacted by PL 2013, c. 387, §2, is amended to read:

**1-C. Issuance; permit fee.** Beginning January 1, 2014, the commissioner, through the commissioner's authorized agent, shall issue in wildlife management districts that are open by rule for wild turkey hunting a ~~combined fall and spring~~ wild turkey hunting permit that allows an eligible person to take wild turkeys ~~in the spring and fall seasons~~ in accordance with section 11701. The fee for a ~~combined fall and spring~~ wild turkey hunting permit is \$20 for residents and nonresidents.

**Sec. 3. 12 MRSA §11701**, as amended by PL 2015, c. 127, §§4 and 5 and affected by §6, is further amended to read:

**§11701. Authority of commissioner; wild turkey hunting**

The commissioner may establish open seasons for hunting wild turkeys, designate areas that are open to the taking of wild turkeys in any part of the State, prescribe the form and regulate the number of permits to be issued, determine the number and sex of the birds to be harvested, establish bag limits, establish permit eligibility requirements, establish legal hunting times, specify the types of weapons to be used during any open wild turkey hunting season and make any other rules that the commissioner considers necessary for the protection of the wild turkey resource. The rules must permit the use of a crossbow during the spring an open season for hunting wild turkey hunting season, except that a person may not hunt wild turkey with a crossbow from October 1st until the first day of the open season established by the commissioner in the following year.

**1. Spring season.** ~~The commissioner shall establish by rule a spring open season for hunting wild turkeys. Unless the commissioner determines that sound management principles require otherwise, the rule must allow during the spring open season for hunting wild turkeys:~~

~~A. A person to take up to 2 wild turkeys without any additional fee for the taking of the 2nd wild turkey;~~

~~B. A person to hunt from 30 minutes before sunrise to 30 minutes after sunset; and~~

~~C. A person to hunt wild turkeys using a crossbow, in addition to any other weapons allowed by the rule.~~

**2. Fall seasons.** ~~Beginning with the 2016 fall open season, the commissioner shall establish by rule 2 fall open seasons for hunting wild turkeys. Unless the commissioner determines that sound management principles require otherwise, the rule must establish 2 fall open seasons that include the month of October and a week in the month of November and allow a person to take up to a total of 2 wild turkeys over both seasons regardless of sex without any additional fee for the taking of a 2nd wild turkey.~~

**3. Youth day.** The commissioner shall establish by rule a spring youth hunting day for hunting wild turkeys from 30 minutes before sunrise to 30 minutes after sunset. The day must be the Saturday prior to the opening of the spring first open season for hunting wild turkeys under subsection 1 established by the commissioner in that year.

A person who violates this section commits a Class E crime for which the court shall impose a fine

of not less than \$500, none of which may be suspended. The court also shall impose a fine of \$500 for each turkey unlawfully possessed, none of which may be suspended.

**Sec. 4. 12 MRSA §11751-A, sub-§2**, as enacted by PL 2003, c. 552, §11 and affected by §15 and c. 655, Pt. C, §§2 and 6, is amended to read:

**2. Exceeding bag limit.** A person may not possess more than ~~one wild turkey~~ the number of wild turkey allowed by rule during any open season, except a person may keep ~~more than one~~ legally obtained wild turkey in that person's home at any time or as otherwise provided in law or rule.

**3. Hunting wild turkey after having killed maximum.** A person may not hunt wild turkey after that person has killed or registered ~~one during any open season of that calendar year, except as otherwise provided in law or rule~~ the maximum number of wild turkey allowed by rule during that season.

**Sec. 5. 12 MRSA §11802, sub-§1**, as enacted by PL 2015, c. 301, §25, is amended to read:

**1. Prohibitions.** From September 1st to December 15th and during the spring first open wild turkey hunting season established by the commissioner in that year pursuant to section 11701, ~~subsection 1~~, a person may not:

A. Place any bait or food in a place to entice a wild turkey to that place; or

B. Hunt from an observation stand or blind overlooking bait or food known to be attractive to wild turkey. This prohibition does not apply to hunting from an observation stand or blind overlooking:

(1) Standing crops; or

(2) Foods that are left as a result of normal agricultural operations or as a result of a natural occurrence.

See title page for effective date.

## CHAPTER 86

### H.P. 135 - L.D. 179

#### An Act To Make Creating a Police Standoff a Class E Crime

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

**Sec. 1. 17-A MRSA §517** is enacted to read:

**§517. Creating police standoff**

**1. Creating police standoff.** A person is guilty of creating a police standoff if that person:

A. Is in fact barricaded as a result of the person's own actions;

B. Is or claims to be armed with a dangerous weapon;

C. Is instructed by a law enforcement officer or law enforcement agency, either personally, electronically or in writing, to leave the barricaded location; and

D. Fails in fact to leave the barricaded location within 1/2 hour of receiving the instruction as described in paragraph C from a law enforcement officer or law enforcement agency.

**2. Class E crime.** Creating a police standoff is a Class E crime.

**Sec. 2. 25 MRSA c. 405,** as amended, is repealed.

See title page for effective date.

## CHAPTER 87

### H.P. 140 - L.D. 184

#### **An Act To Allow Hospitals To More Efficiently Monitor the Prescribing of Controlled Substances by Amending the Laws Governing Access to Prescription Monitoring Information**

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

**Sec. 1. 22 MRSA §7250, sub-§4, ¶¶I and J,** as enacted by PL 2015, c. 488, §6, are amended to read:

I. Staff members of a licensed hospital who are authorized by the chief medical officer of the hospital, insofar as the information relates to a patient receiving care in the hospital's emergency department or receiving inpatient services from the hospital; ~~and~~

J. Staff members of a pharmacist who are authorized by the pharmacist on duty, insofar as the information relates to a customer seeking to have a prescription filled; ~~and~~

**Sec. 2. 22 MRSA §7250, sub-§4, ¶K** is enacted to read:

K. The chief medical officer, medical director or other administrative prescriber employed by a licensed hospital, insofar as the information relates to prescriptions written by prescribers employed by that licensed hospital.

See title page for effective date.

## CHAPTER 88

### S.P. 136 - L.D. 409

#### **An Act To Amend the Laws Pertaining to the Maine Public Employees Retirement System**

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

**Sec. 1. 3 MRSA §701, sub-§11-A** is enacted to read:

**11-A. Medical provider.** "Medical provider" means a physician or clinical psychologist.

**Sec. 2. 3 MRSA §734,** as amended by PL 2007, c. 491, §12, is further amended to read:

#### **§734. Medical board**

A medical board of the other programs of the Maine Public Employees Retirement System established in Title 5, section 17106, subsection 1 is the medical board of the Legislative Retirement Program. The medical board shall arrange for and pass upon all medical examinations required under this chapter with respect to disability retirements and shall report in writing to the executive director its conclusions and recommendations upon all the matters referred to it. The board of trustees may designate other ~~physicians~~ medical providers to provide medical consultation on legislative disability cases.

**Sec. 3. 3 MRSA §853,** as amended by PL 2007, c. 491, §27, is further amended to read:

#### **§853. Disability retirement**

Any member who becomes disabled while in service may receive a disability retirement allowance on the same basis as provided for members of the State Employee and Teacher Retirement Program by Title 5, chapter 423, subchapter 5, article 3 ~~3-A~~.

**Sec. 4. 4 MRSA §1201, sub-§12-A** is enacted to read:

**12-A. Medical provider.** "Medical provider" means a physician or clinical psychologist.

**Sec. 5. 4 MRSA §1234,** as amended by PL 2007, c. 491, §38, is further amended to read:

#### **§1234. Medical board**

A medical board of the other programs of the Maine Public Employees Retirement System established in section 17106, subsection 1 is the medical board of the Judicial Retirement Program. The medical board shall arrange for and pass upon all medical examinations required under this chapter with respect to disability retirements and shall report in writing to the Supreme Judicial Court its conclusions and recommendations upon all the matters referred to it. The board of trustees may designate other ~~physicians~~

medical providers to provide medical consultation on judicial disability cases.

**Sec. 6. 4 MRSA §1353, sub-§1**, as amended by PL 1991, c. 887, §1 and PL 2007, c. 58, §3, is further amended to read:

**1. Conditions.** Any member who becomes disabled while in service may receive a disability retirement allowance by order of at least 5 Justices of the Supreme Judicial Court or upon written application to the executive director, review and report of the application by the medical board and approval of that application by at least 5 of the Justices of the Supreme Judicial Court if that member is mentally or physically incapacitated to the extent that it is impossible for that member to perform the duties as a judge and the incapacity is expected to be permanent, as shown by medical examination or tests. A qualified ~~physician~~ medical provider mutually agreed upon by the executive director and member shall conduct the examinations or tests at an agreed upon place, and the costs must be paid by the Maine Public Employees Retirement System.

**Sec. 7. 4 MRSA §1353, sub-§4, ¶C**, as amended by PL 2007, c. 491, §50, is further amended to read:

C. The executive director may require the beneficiary to undergo annual medical examinations or tests for the purpose of determining whether the beneficiary is incapacitated. These examinations or tests must be conducted by a qualified ~~physician~~ medical provider, mutually agreed upon by the executive director and beneficiary, at a place also mutually agreed upon, and the costs of the examination or tests must be paid by the Maine Public Employees Retirement System. If the beneficiary refuses to submit to an examination or tests, the beneficiary's disability allowance ceases until the beneficiary agrees to the examination or tests. If the beneficiary's refusal continues for one year, all rights to any further benefits under this section terminate.

**Sec. 8. 5 MRSA §17001, sub-§19-A** is enacted to read:

**19-A. Medical provider.** "Medical provider" means a physician or clinical psychologist.

**Sec. 9. 5 MRSA §17053**, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

**§17053. Exemption from taxation**

The money in the various funds created by this Part and any property owned by the retirement system are exempt from any state, county or municipal tax in the State.

**Sec. 10. 5 MRSA §17102, sub-§1, ¶E**, as amended by PL 2007, c. 491, §75, is further amended to read:

E. A person who is a member or retired member of the Participating Local District Retirement Program of the retirement system through a participating local district and who is appointed by the governing body of the Maine Municipal Association.

**Sec. 11. 5 MRSA §17103, sub-§3**, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

**3. Meeting.** The board shall meet ~~at least once in each month~~ as it determines necessary for the transaction of such business as may properly come before it.

**Sec. 12. 5 MRSA §17103, sub-§11, ¶B**, as amended by PL 1997, c. 651, §3, is further amended to read:

B. Any proposed legislation amending the retirement system law that the board recommends to improve the retirement system. The joint standing committee of the Legislature having jurisdiction over public employee retirement matters may submit legislation required to implement recommendations made pursuant to this paragraph;

**Sec. 13. 5 MRSA §17103, sub-§13**, as enacted by PL 1993, c. 410, Pt. L, §22 and amended by PL 2007, c. 58, §3, is repealed and the following enacted in its place:

**13. Budget.** By June 15th, annually, the board shall adopt an operating budget for the subsequent fiscal year.

**Sec. 14. 5 MRSA §17106, sub-§1**, as amended by PL 2009, c. 322, §6, is further amended to read:

**1. Establishment.** The board shall designate a medical board to be composed of at least 3 ~~physicians~~ medical providers not eligible to participate in any of the retirement programs of the retirement system. The board shall make a good faith effort to appoint ~~physicians~~ medical providers to the medical board who are from those fields of ~~medicine within~~ concerning which the Maine Public Employees Retirement System receives the greatest number of applications for disability retirement benefits.

**Sec. 15. 5 MRSA §17106, sub-§2**, as amended by PL 1995, c. 643, §4, is further amended to read:

**2. Other medical providers.** If determined advisable by the board, the board may designate other ~~physicians~~ medical providers to provide medical consultation on disability cases.

**Sec. 16. 5 MRSA §17106, sub-§3**, as amended by PL 2009, c. 322, §6, is further amended to read:

**3. Powers and duties.** The medical board is advisory only to the retirement system. The medical board or other ~~physicians~~ medical providers designated by the board shall review the file of an applicant for disability retirement and:

A. Recommend an additional medical review in those instances where there are conflicting medical opinions;

B. Recommend additional medical tests to be performed on an applicant to obtain objective evidence of a permanent disability;

C. Assist the executive director in determining if a disability review of a recipient of a disability allowance is warranted;

D. Provide a written report of its analysis of how the applicant's medical records do or do not demonstrate the existence of physical or mental functional limitations entitling an applicant to benefits under chapter 423, subchapter 5, articles 3 and 3-A, or chapter 425, subchapter 5, articles 3 or 3-A; and

E. Advise the retirement system whether there are medical indications that a person who is the recipient of a disability retirement benefit under chapter 423, subchapter 5, article 3-A or chapter 425, subchapter 5, article 3-A should not engage in a rehabilitation program or whether a recipient is too severely disabled to benefit from rehabilitation in accordance with the purposes of chapter 423, subchapter 5, article 3-A or chapter 425, subchapter 5, article 3-A.

**Sec. 17. 5 MRSA §17106-A, sub-§5**, as enacted by PL 2009, c. 322, §7, is amended to read:

**5. Investigation.** The joint standing committee of the Legislature having jurisdiction over ~~labor~~ public employee retirement matters shall monitor the compliance of the retirement system and all involved parties with regard to the use of hearing officers and the independence of hearing officers in the decision-making process. The joint standing committee of the Legislature having jurisdiction over ~~labor~~ public employee retirement matters may request the Attorney General to conduct an investigation if a complaint is made by a hearing officer or any participating party regarding the independence of the hearing process.

**Sec. 18. 5 MRSA §17106-A, sub-§6**, as enacted by PL 2009, c. 322, §7, is amended to read:

**6. Engagement and termination.** The board shall engage only qualified hearing officers, who must be monitored by the board. A hearing officer may be terminated for misconduct. Retaliatory action of any

kind, including reprimand or termination, may not be taken against a hearing officer on the basis of that hearing officer's having issued decisions contrary to the decision of the executive director. In the event of termination, the retirement system shall set forth in writing the basis for the termination, the propriety of which may then be considered by the joint standing committee of the Legislature having jurisdiction over ~~labor~~ public employee retirement matters pursuant to subsection 5.

**Sec. 19. 5 MRSA §17152, first ¶**, as amended by PL 2013, c. 602, Pt. A, §1, is further amended to read:

The board may combine the assets of the State Employee and Teacher Retirement Program with the assets of other retirement programs of the retirement system for investment purposes. The assets of the State Employee and Teacher Retirement Program may not be combined with the assets of another retirement program for benefit purposes or for administrative expenses. All of the assets of the retirement system must be credited according to the purpose for which they are held among the several funds created by this section, namely:

**Sec. 20. 5 MRSA §17438**, as enacted by PL 2007, c. 240, Pt. RRR, §2, is amended to read:

**§17438. Reporting requirements under Governmental Accounting Standards Board**

The system and trustees of the investment trust fund have no obligation to comply with reporting requirements related to the investment trust fund under Governmental Accounting Standards Board Statement Number 43 ~~74~~, Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans, or Governmental Accounting Standards Board Statement Number 45 ~~75~~, Accounting and Financial Reporting ~~by Employers~~ for Postemployment Benefits Other Than Pensions. The State is obligated to comply with the reporting requirements under Governmental Accounting Standards Board Statement Number 43 ~~74~~ and Governmental Accounting Standards Board Statement Number 45 ~~75~~. The system shall account for the assets of the investment trust fund in its annual financial statements.

**Sec. 21. 5 MRSA §17760, sub-§6, ¶D** is enacted to read:

D. If funds are appropriated under paragraph B to subsidize the purchase of service credit for specific members, and those members either decline to purchase service credit or are able to purchase the service credit without subsidy, the unused funds must be applied in accordance with paragraph C.

**Sec. 22. 5 MRSA §17902, sub-§1, ¶A,** as enacted by PL 1995, c. 643, §5, is amended to read:

A. The executive director shall obtain medical consultation on each applicant for disability retirement benefits in accordance with related rules established by the board, which must include provisions indicating when a case must be reviewed by a medical board and when alternative means of medical consultation are acceptable. Rules adopted pursuant to this paragraph are routine technical rules as defined in chapter 375, subchapter ~~H-A~~ 2-A. Whether provided by the medical board or by an alternative means, medical consultation obtained by the executive director must be objective and be provided by a ~~physician medical provider~~ or ~~physicians medical providers~~ qualified to review the case by specialty or experience and to whom the applicant is not known.

**Sec. 23. 5 MRSA §17903, sub-§1,** as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

**1. Agreed upon medical provider.** The examination or tests ~~shall must~~ be conducted by a qualified ~~physician medical provider~~ mutually agreed upon by the executive director and member claiming to be disabled.

**Sec. 24. 5 MRSA §17910, sub-§2,** as enacted by PL 1985, c. 801, §§5 and 7 and amended by PL 2007, c. 58, §3, is further amended to read:

**2. Dispute over mental or physical capacity.** In the event there is a dispute between the beneficiary and the former employer over the beneficiary's mental or physical capacity to perform a specific job, at the option of the beneficiary that dispute ~~shall must~~ be resolved by the majority decision of 3 ~~physicians~~ medical providers, one appointed and reimbursed by the beneficiary, one appointed and reimbursed by the employer and one appointed by the executive director and reimbursed by the Maine Public Employees Retirement System.

**Sec. 25. 5 MRSA §17925, sub-§1, ¶A,** as amended by PL 2015, c. 392, §1, is further amended to read:

A. The executive director shall obtain medical consultation on each applicant for disability in accordance with related rules established by the board, which must include provisions indicating when a case must be reviewed by a medical board and when alternative means of medical consultation are acceptable. Rules adopted pursuant to this paragraph are routine technical rules as defined in chapter 375, subchapter 2-A. Whether provided by the medical board or by an alternative means, medical consultation obtained by the executive director must be objective and be provided by a ~~physician medical provider~~ or ~~physicians medical providers~~ qualified to review the case by

specialty or experience and to whom the applicant is not known.

**Sec. 26. 5 MRSA §17926, sub-§1,** as enacted by PL 1989, c. 409, §§8 and 12, is amended to read:

**1. Agreed upon medical provider.** The examinations or tests ~~shall must~~ be conducted by a qualified ~~physician and, when appropriate, a qualified psychologist~~ medical provider mutually agreed upon by the executive director and the member claiming to be disabled.

**Sec. 27. 5 MRSA §17932, sub-§2,** as enacted by PL 1989, c. 409, §§8 and 12, is amended to read:

**2. Dispute over mental or physical capacity.** If there is a dispute between the person and the former employer over the person's mental or physical capacity to perform a specific job, at the option of the person that dispute ~~shall must~~ be resolved by a majority of 3 ~~physicians~~ medical providers, one appointed and reimbursed by the person, one appointed and reimbursed by the employer and one appointed and reimbursed by the retirement system. If the 3 ~~physicians~~ medical providers resolve the dispute in favor of the person, the former employer ~~shall must~~ reimburse the ~~physician~~ medical provider appointed by the person.

**Sec. 28. 5 MRSA §18053-A** is enacted to read:

**§18053-A. Funds**

All assets in the group life insurance program may be combined for investment purposes. The assets attributable to employers of state employees, teachers, Legislators and judges who are participants in the group life insurance program may not be combined with the assets attributable to other group life insurance participants for benefit purposes. Premiums for retiree group life insurance coverage under section 18061, subsection 2, and interest and dividends attributable to those premiums, may not be used to provide benefits for participants who are not retirees.

**Sec. 29. 5 MRSA §18060,** as enacted by PL 1985, c. 801, §§5 and 7, is repealed.

**Sec. 30. 5 MRSA §18502, sub-§1, ¶A,** as enacted by PL 1995, c. 643, §17, is amended to read:

A. The executive director shall obtain medical consultation on each applicant for disability retirement benefits in accordance with related rules established by the board, which must include provisions indicating when a case must be reviewed by a medical board and when alternative means of medical consultation are acceptable. Rules adopted pursuant to this paragraph are routine technical rules as defined in chapter 375, subchapter ~~H-A~~ 2-A. Whether provided by the medical board or by an alternative means, medical consultation obtained by the executive director must be

objective and be provided by a ~~physician~~ medical provider or ~~physicians~~ medical providers qualified to review the case by specialty or experience and to whom the applicant is not known.

**Sec. 31. 5 MRSA §18503, sub-§1**, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

**1. Agreed upon medical provider.** The examination or tests ~~shall~~ must be conducted by a qualified ~~physician~~ medical provider mutually agreed upon by the executive director and member claiming to be disabled.

**Sec. 32. 5 MRSA §18525, sub-§1, ¶A**, as amended by PL 1995, c. 643, §21, is further amended to read:

A. The executive director shall obtain medical consultation on each applicant for disability in accordance with related rules established by the board, which must include provisions indicating when a case must be reviewed by a medical board and when alternative means of medical consultation are acceptable. Rules adopted pursuant to this paragraph are routine technical rules as defined in chapter 375, subchapter ~~HA~~ 2-A. Whether provided by the medical board or by an alternative means, medical consultation obtained by the executive director must be objective and be provided by a ~~physician~~ medical provider or ~~physicians~~ medical providers qualified to review the case by specialty or experience and to whom the applicant is not known.

**Sec. 33. 5 MRSA §18526, sub-§1**, as enacted by PL 1989, c. 409, §§11 and 12, is amended to read:

**1. Agreed upon medical provider.** The examinations or tests ~~shall~~ must be conducted by a qualified ~~physician and, when appropriate, a qualified psychologist~~ medical provider mutually agreed upon by the executive director and the member claiming to be disabled.

**Sec. 34. 5 MRSA §18532, sub-§2**, as enacted by PL 1989, c. 409, §§11 and 12, is amended to read:

**2. Dispute over mental or physical capacity.** If there is a dispute between the person and the former employer over the person's mental or physical capacity to perform a specific job, at the option of the person that dispute ~~shall~~ must be resolved by a majority of 3 ~~physicians~~ medical providers, one appointed and reimbursed by the person, one appointed and reimbursed by the employer and one appointed and reimbursed by the retirement system. If the 3 ~~physicians~~ medical providers resolve the dispute in favor of the person, the former employer ~~shall~~ must reimburse the ~~physician~~ medical provider appointed by the person.

**Sec. 35. 5 MRSA §18653-A** is enacted to read:

### **§18653-A. Funds**

All assets in the group life insurance program may be combined for investment purposes. The assets attributable to employers of participating local district participants in the group life insurance program may not be combined with the assets attributable to other group life insurance participants for benefit purposes. Premiums for retiree group life insurance coverage under section 18061, subsection 2, and interest and dividends attributable to those premiums, may not be used to provide benefits for participants who are not retirees.

**Sec. 36. 5 MRSA §18660**, as enacted by PL 1985, c. 801, §§5 and 7, is repealed.

**Sec. 37. PL 2015, c. 267, Pt. A, §63, under the caption "RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES" in the first occurrence of "Retirement System - Subsidized Military Service Credit Z094"** is amended by amending the initiative to read:

Initiative: Provides funds to allow for 2 members who the Maine Public Employees Retirement System determined were qualified to purchase military service credit at a subsidized rate pursuant to the Maine Revised Statutes, Title 5, section 17760 in 2004. If the 2 members for whom funds are appropriated under this section either decline to purchase service credit or are able to purchase the service credit without subsidy, the unused funds must be applied in accordance with Title 5, section 17760, subsection 6, paragraph C.

**Sec. 38. PL 2015, c. 267, Pt. A, §63, under the caption "RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES" in the 2nd occurrence of "Retirement System - Subsidized Military Service Credit Z094"** is amended by amending the initiative to read:

Initiative: Provides funds to allow for 3 members who the Maine Public Employees Retirement System determined were qualified to purchase military service credit at a subsidized rate pursuant to the Maine Revised Statutes, Title 5, section 17760 in 2005, 2012 and 2013. If the 3 members for whom funds are appropriated under this section either decline to purchase service credit or are able to purchase the service credit without subsidy, the unused funds must be applied in accordance with Title 5, section 17760, subsection 6, paragraph C.

**Sec. 39. Applicability.** The provisions of sections 25 and 33 of this Act apply to benefits paid to disability retirement benefit recipients who are found eligible for those benefits after the effective date of this Act.

See title page for effective date.

## CHAPTER 89

## H.P. 391 - L.D. 549

An Act To Recognize  
Preexisting Land Uses

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

**Sec. 1. 12 MRSA §685-B, sub-§7-B** is enacted to read:

**7-B. Presumption of nonconforming uses and nonconforming structures.** If a person demonstrates that a use or structure that does not conform with district standards has existed for at least 30 years, there is a rebuttable presumption that the use is a nonconforming use or that the structure is a nonconforming structure.

See title page for effective date.

## CHAPTER 90

## S.P. 203 - L.D. 588

An Act To Allow Law  
Enforcement Agencies and  
Associations To Engage  
Directly in Fund-raising under  
Certain Circumstances

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

**Sec. 1. 25 MRSA §3702-C**, as amended by PL 2011, c. 596, §1, is further amended to read:

**§3702-C. Solicitation unlawful; exceptions**

Except as provided in this section, a law enforcement agency, law enforcement association, law enforcement officer or solicitation agent may not solicit property from the general public when the property or any part of that property in any way tangibly benefits, is intended to tangibly benefit or is represented to be for the tangible benefit of any law enforcement officer, law enforcement agency or law enforcement association. Any violation of this chapter constitutes a violation of the Maine Unfair Trade Practices Act.

**1. Limited solicitation.** A law enforcement agency or association may solicit property from the general public, a law enforcement officer, a law enforcement agency or a law enforcement association for the tangible benefit of a law enforcement officer, or an immediate family member of a law enforcement officer, suffering from a catastrophic illness by hosting ~~fundraising fund-raising~~ events or by written solicitation. A law enforcement agency or association that conducts a limited solicitation under this subsection may, but is not required to, retain a designated public benefit corporation to participate in the fund-raising event.

A. A law enforcement agency or association may host ticketed ~~fundraising fund-raising~~ events that are open to the public as long as the events are advertised only through public announcements and tickets are available for purchase only from a designated public benefit corporation.

B. A law enforcement agency or association may make general public solicitations for donations through public announcements or paid advertisements as long as all donations are directed to be sent to a designated public benefit corporation. Solicitations may not be sent directly to potential donors by mail or any other direct means.

Nothing in this subsection may be construed to allow a law enforcement agency or association to engage in door-to-door solicitation.

**2. Required notice.** Any public solicitation or advertisement for a ~~fundraising fund-raising~~ event conducted under the limited exception in subsection 1 must contain a notice that clearly identifies the name and address of ~~the~~ any designated public benefit corporation that has been retained to participate in the fund-raising event and the law enforcement officer or immediate family member for whom the solicitation is made. The notice must also specify that any questions about the solicitation may be directed to the Office of the Attorney General.

A. ~~A~~ If a public benefit corporation is retained to participate in the fund-raising event, a notice for a ~~fundraising fund-raising~~ event must read: "This event is sponsored by (insert name of law enforcement agency or association) for the sole benefit of (insert name and agency). All donations made pursuant to this solicitation must be sent to the designated public benefit corporation, which may not disclose the names of donors."

B. ~~A~~ If a public benefit corporation is retained to participate in the fund-raising event, a notice for a public solicitation must read: "This solicitation is made by (insert name of law enforcement agency or association) for the sole benefit of (insert name and agency). All donations made pursuant to this solicitation must be sent to the designated public benefit corporation, which may not disclose the names of donors."

**3. Standardized written agreement.** Prior to engaging in any solicitation activity under this section, a law enforcement agency or a law enforcement association and ~~a~~ any designated public benefit corporation that is retained to participate in the fund-raising event must enter into a signed written agreement that specifies the obligations of each party. The Office of the Attorney General shall provide a standardized written agreement that must be used by the parties.

**4. No disclosure of donors.** A designated public benefit corporation that engages in solicitation pursu-

ant to this section may not disclose the names of any donors to any person, except to the Attorney General.

**5. Limited reimbursement.** The law enforcement agency or law enforcement association may reimburse the designated public benefit corporation only for its advertising costs and may not otherwise pay the designated public benefit corporation for its services provided under this section.

**6. Registration and reporting.** Each party to the written agreement pursuant to subsection 3 shall comply with all requirements for reporting to and registration with the Department of Professional and Financial Regulation as a charitable organization, or as a charitable organization that is exempt from registration, pursuant to the Charitable Solicitations Act and shall comply with any other reporting and registration requirements related to the event or solicitation.

**7. Escrow account.** All funds collected by ~~the~~ any designated public benefit corporation under this section must be held in an escrow account pursuant to this subsection.

A. The escrow account must be established by the designated public benefit corporation in a bank or trust company authorized to do business in this State within the meaning of Title 9-B, section 131, subsection 2. The funds deposited in the escrow account must be kept and maintained in an account separate from any other accounts.

B. Checks, drafts and money orders from donors may be made payable only to the bank or trust company described in paragraph A.

C. Funds deposited in the escrow account are not subject to any liens or charges by the escrow agent or judgments, garnishments or creditor's claims against the designated public benefit corporation or beneficiary.

D. The funds may be paid only to the beneficiary, or to the heirs of the beneficiary if the beneficiary dies, and must be paid within 30 days of the conclusion of the event or written solicitation.

**8. Accounting.** Upon request, ~~the~~ any designated public benefit corporation that is retained to participate in a fund-raising event shall provide an accounting of the funds received from the event or written solicitation and any documents related to the ~~fundraising~~ fund-raising event or solicitation, including the names of the donors, to the Attorney General. The Attorney General may enforce application of funds given or appropriated to public charities and prevent breaches of trust in their administration, pursuant to Title 5, section 194, subsection 2.

See title page for effective date.

**CHAPTER 91**

**S.P. 341 - L.D. 1034**

**An Act Making 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, 2017**

**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.

**PUBLIC SAFETY, DEPARTMENT OF**

**Administration - Public Safety 0088**

Initiative: Provides funding for the approved reorganization of one Public Service Executive II position from range 34 to range 36.

HIGHWAY FUND	2016-17	2017-18	2018-19
Personal Services	\$2,374	\$0	\$0
HIGHWAY FUND	\$2,374	\$0	\$0
TOTAL			

**State Police 0291**

Initiative: Provides funding for the approved range change of one Computer Forensic Analyst position from range 25 to range 27 retroactive to January 2015.

HIGHWAY FUND	2016-17	2017-18	2018-19
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Personal Services	\$4,795	\$0	\$0
All Other	\$84	\$0	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>\$4,879</b>	<b>\$0</b>	<b>\$0</b>

**State Police 0291**

Initiative: Provides funding for the approved reclassification of one Forensic Technician position to a Forensic Chemist Technician position retroactive to July 2014.

<b>HIGHWAY FUND</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$2,147	\$0	\$0
All Other	\$38	\$0	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>\$2,185</b>	<b>\$0</b>	<b>\$0</b>

**PUBLIC SAFETY, DEPARTMENT OF**

<b>DEPARTMENT TOTALS</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
<b>HIGHWAY FUND</b>	<b>\$9,438</b>	<b>\$0</b>	<b>\$0</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$9,438</b>	<b>\$0</b>	<b>\$0</b>

**Sec. A-2. Appropriations and allocations.**

The following appropriations and allocations are made.

**SECRETARY OF STATE, DEPARTMENT OF Administration - Motor Vehicles 0077**

Initiative: Provides funding for a portion of the state match to implement an automated overlimit routing, restriction management and permitting system.

<b>HIGHWAY FUND</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$250,000	\$0	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>\$250,000</b>	<b>\$0</b>	<b>\$0</b>

**PART B**

**Sec. B-1. Carrying provision; Department of the Secretary of State, Administration - Motor Vehicles program.** Notwithstanding any other provision of law, the State Controller shall carry forward up to \$500,000 of any unexpended balance, after all financial commitments for salary, benefits, other obligations and budgetary adjustments have been made, in the Personal Services and All Other line categories at the end of fiscal year 2016-17 to the All Other line category in the next fiscal year in the Department of the Secretary of State, Administration - Motor Vehicles program, Highway Fund to be used for the automated overlimit routing, restriction management and permitting system to improve the efficiency and effectiveness of the department's operations.

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

Effective May 26, 2017.

**CHAPTER 92**

**S.P. 421 - L.D. 1258**

**An Act To Modernize the Voluntary Response Action Program Funding Process**

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

**Sec. 1. 38 MRSA §342, sub-§15,** as enacted by PL 1993, c. 355, §3, is amended to read:

**15. Technical services.** The commissioner shall establish a technical services unit within the department to assist any person involved in a real estate transaction in determining whether real property that is the subject of the transaction has been the site of a discharge, release or threatened release of a hazardous substance, hazardous waste, hazardous matter, special waste, pollutant or contaminant, including petroleum products or by-products.

The commissioner may also assist in or supervise the development and implementation of reasonable and necessary response actions. Assistance may include review of agency records and files, review and approval of a requester's investigation plans, site assessments and reports, voluntary response action plans and implementation of those plans.

The fee for department assistance in submitting a voluntary response action plan under section 343-E is equal to 1% of the assessed value of the property at the time the request is submitted, except that the fee may not exceed \$15,000.

~~The person requesting~~ For all other requests for assistance under this subsection, a person shall pay the department an initial nonrefundable fee of up to \$500 to be determined by the ~~Commissioner~~ commissioner. The person shall also pay the department for its actual direct and indirect costs of providing assistance, which must be determined by the commissioner but which must not on an hourly basis exceed \$50 per hour per person. Money received by the department for assistance under this subsection must be deposited in the Uncontrolled Sites Fund established in section 1364, subsection 6.

**Sec. 2. Effective date.** This Act takes effect January 1, 2018.

Effective January 1, 2018.

## CHAPTER 93

### S.P. 495 - L.D. 1425

#### **An Act To Repeal the Laws Governing the Mental Health Homicide, Suicide and Aggravated Assault Review Board**

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

**Sec. 1. 34-B MRSA §1207, sub-§1, ¶B-3,** as amended by PL 2015, c. 329, Pt. A, §22, is further amended to read:

B-3. Information may be disclosed if necessary to carry out the statutory functions of the department; the hospitalization provisions of chapter 3, subchapter 4; ~~the provisions of section 1931;~~ the purposes of section 3608; the purposes of Title 5, section 19506; the purposes of United States Public Law 99-319, dealing with the investigatory function of the independent agency designated with advocacy and investigatory functions under United States Public Law 88-164, Title I, Part C or United States Public Law 99-319; or the investigation and hearing pursuant to Title 15, section 393, subsection 4-A. This paragraph takes effect August 1, 2017;

**Sec. 2. 34-B MRSA c. 1, sub-c. 7,** as amended, is repealed.

See title page for effective date.

## CHAPTER 94

### S.P. 527 - L.D. 1502

#### **An Act To Transfer Responsibility for Licensing of Land-based Aquaculture from the Department of Marine Resources to the Department of Agriculture, Conservation and Forestry**

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

**Sec. 1. 7 MRSA §2, 4th ¶,** as amended by PL 2011, c. 655, Pt. MM, §5 and affected by §26, is further amended to read:

In addition, the commissioner shall be concerned with the quality of life of Maine farmers and rural communities. The commissioner shall promote: farm financing and rural development proposals; conservation and preservation of agricultural lands; increased and improved production of beef, poultry, sheep, dairy beef and other livestock; expanded and improved production of potatoes, fruits and other vegetables and horticultural ventures; coordinated foreign and domestic marketing of Maine agricultural products; in conjunction with the university, crop development and integrated pest management; development of land-based aquaculture facilities; and conservation of non-renewable energy resources and utilization of renewable energy resources in conjunction with the Governor's Energy Office. To accomplish these objectives, the commissioner is authorized for, or on behalf of, Maine's farmers and rural community: to engage in research and educational programs; to participate directly or indirectly in programs to encourage and enable individuals to enter agricultural or other rural enterprises; to institute litigation or upon request to represent farmers or other members of the rural community in litigation where the commissioner determines that such litigation may be beneficial to agricultural industry as a whole; and to exercise all other powers of an agency of State Government. The commissioner may study such issues and, consistent with statute, take such actions either individually, for, or on behalf of, the State's farmers or rural residents, or jointly with such other persons, agencies or organizations as the commissioner determines may benefit the State's farmers and rural communities. To further accomplish these objectives, the commissioner is authorized beginning July 1, 1991, on behalf of the State's rural community, to administer food assistance programs including the receipt, distribution and administration of federal and state funds, including block grants, for food assistance.

**Sec. 2. 7 MRSA §52, sub-§3-A,** as amended by PL 2011, c. 608, §2, is further amended to read:

**3-A. Farm product.** "Farm product" means those plants and animals useful to humans and includes, but is not limited to, forages and sod crops, grains and food crops, dairy products, poultry and poultry products, bees, livestock and livestock products, fish and fish products and fruits, berries, vegetables, flowers, seeds, grasses, Christmas trees and other similar products.

**Sec. 3. 7 MRSA c. 209** is enacted to read:

### **CHAPTER 209**

#### **LAND-BASED AQUACULTURE**

##### **§1501. Land-based aquaculture license**

**1. License required.** The commissioner may require a license for aquaculture of marine or freshwater 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 or freshwater organisms that 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 or freshwater organism the holder has raised by means of aquaculture.

**3. License denial.** The commissioner shall refuse to issue a license under this section if the commissioner receives information from the Commissioner of Marine Resources or the Commissioner of Inland Fisheries and Wildlife that the aquaculture activity presents an unreasonable risk to indigenous marine or freshwater life or its environment. The Commissioner of Marine Resources and the Commissioner of Inland Fisheries and Wildlife shall consider factors, including, but not limited to:

A. Risk of accidental or intentional introduction of marine or freshwater organisms or organism products into the 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 or freshwater organisms.

**4. Monitoring and revocation.** The commissioner shall monitor licensed facilities under this section on an annual basis. The commissioner shall provide the findings to the Commissioner of Marine Resources and the Commissioner of Inland Fisheries and Wildlife. 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 or freshwater 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. 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. 4. 12 MRSA §6073-D, last ¶,** as enacted by PL 2009, c. 229, §8, is amended to read:

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, or 6072-C or ~~6085~~ Title 7, section 1501 to engage in the culture of marine organisms.

**Sec. 5. 12 MRSA §6085,** as enacted by PL 2009, c. 229, §12, is repealed.

**Sec. 6. 12 MRSA §6085-A** is enacted to read:

##### **§6085-A. Land-based aquaculture; reporting**

The commissioner may require the holder of a license under Title 7, chapter 209 for the land-based aquaculture of marine organisms to file periodic reports regarding the aquaculture practices and production of the facility. Information obtained pursuant to this section 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.

See title page for effective date.

### **CHAPTER 95**

#### **S.P. 528 - L.D. 1503**

#### **An Act To Amend Criteria for Issuing a Certificate of Approval for Certain Projects under the Finance Authority of Maine 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,** it is likely that applicants will seek financing for projects using the Revenue Obligation Securities Program before this Act takes effect if it is not enacted on an emergency basis; and

**Whereas,** if this Act is not enacted on an emergency basis, applicants could obtain financing without sufficient credit safeguards to protect against the calling upon the moral obligation of the State, leading to undue losses to 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 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 §1043, sub-§2, ¶O**, as amended by PL 2015, c. 504, §3, is further amended to read:

O. In the case of an energy distribution system project or an energy generating system project regulated by the Public Utilities Commission with respect to rates or terms of service or that requires, for construction or operation, authorization or certification from the commission, the following conditions are met.

(1) The energy distribution system project or the energy generating system project has received all authorizations or certifications from the Public Utilities Commission necessary for construction and operation of the project. The authority may issue a certificate of approval for a project that has received conditional approvals or certifications from the commission, except that the authority's certificate becomes legally effective only upon fulfillment of the conditional provisions of the commission's certificates or approvals. If the commission has approved rates to be charged by the project or has issued a certificate of public convenience and necessity for the project, the authority shall take into consideration any findings and conclusions of law of the commission, including any findings and conclusions pertaining to the need for the project and the financial viability of the project.

(2) The authority has reviewed and considered any comments provided by the Director of the Governor's Energy Office and the Public Advocate.

(3) The authority has determined that the applicant is creditworthy and that there is a ~~reasonable~~ strong likelihood that the revenue obligation securities will be repaid through the revenues of the project and any other sources of revenues and collateral pledged to the repayment of those securities. In order to make these determinations, the authority shall consider such factors as it considers necessary and appropriate in light of the special purpose or other nature of the business entity owning the project and the specific purposes of the project to measure and evaluate the project

and the sufficiency of the pledged revenues to repay the obligations, including, but not limited to:

(a) Whether the individuals or entities obligated to repay the obligations have demonstrated sufficient revenues from the project or from other sources to repay the obligations and a reasonable probability that those revenues will continue to be available for the term of the revenue obligation securities;

(b) Whether the applicant demonstrates a reasonable probability that the project will continue to operate and provide the public benefits projected to be created for the term of the revenue obligation securities;

(c) Whether the applicant's creditworthiness is demonstrated by factors such as its historical financial performance, management ability, plan for marketing its product or service and ability to access conventional financing;

(d) Whether the applicant meets or exceeds industry average financial performance ratios commonly accepted in determining creditworthiness in that industry;

(e) Whether the applicant demonstrates that the need for authority assistance is due to the reduced cost and increased flexibility of the financing for the project that result from authority assistance and not from an inability to obtain necessary financing without the capital reserve fund security provided by the authority;

(f) Whether collateral securing the repayment obligation is reasonably sufficient under the circumstances;

(g) Whether the proposed project enhances the opportunities for economic development;

(h) The effect that the proposed project financing has on the authority's financial resources;

(i) The financial performance of similar projects;

(j) The need for the project, as determined by the Public Utilities Commission and as indicated by any comments provided by the Director of the Governor's Energy Office, other public officials and members of the public;

(k) The nature and extent of customer commitment to use the project or the fuel or energy the project distributes, transmits or generates;

(l) The cost advantages to end users of the fuel or energy to be distributed, transmitted or generated by the project, to the extent those advantages may affect market penetration by the project; and

(m) The nature and extent of the applicant's equity contribution to payment of the costs of the project; such a contribution may not be less than 25% of the expected cost of the project.

This paragraph is repealed January 1, 2020.

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

Effective May 26, 2017.

**CHAPTER 96**

**H.P. 400 - L.D. 558**

**An Act To Improve Moose Hunting**

**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 must take effect before the 2017 moose lottery permit deadline; 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 §11154, sub-§5,** as amended by PL 2011, c. 370, §5, is further amended to read:

**5. Eligibility.** Except as provided in this subsection, a resident, nonresident or alien who is eligible to obtain a Maine hunting license or who will be eligible to obtain a Maine hunting license by the opening day of the open moose season is eligible to apply for a moose hunting permit. Beginning in 2011, a person who has obtained a moose hunting permit is ineligible to obtain another permit until 3 years have elapsed after the issuance of the last permit. This limitation does not apply to subpermittees under subsection 7. A person under 10 years of age on the opening day of the

open moose season is eligible to apply for a moose hunting permit and may accrue points under subsection 8 but is ineligible to receive a moose hunting permit.

**Sec. 2. 12 MRSA §11154, sub-§7,** as amended by PL 2011, c. 370, §7, is further amended to read:

**7. Subpermittees.** An applicant for a moose permit may indicate on the application filed pursuant to subsection 6 the name of a subpermittee-designate and the name of an alternate subpermittee-designate. A person under 10 years of age on the opening day of the open moose season may not be a subpermittee-designate or alternate subpermittee-designate. If the applicant is issued a moose permit under subsection 9 and upon application to the commissioner, the permittee may change that person's subpermittee-designate or alternate subpermittee-designate until 30 days prior to the start of the moose hunting season for which the permit was issued. Thirty days prior to the start of the applicable moose hunting season, the subpermittee-designate becomes a subpermittee. The permittee may authorize the subpermittee to participate in the moose hunt with the permittee. The permittee may authorize the alternate subpermittee-designate to participate in the hunt in place of the subpermittee-designate if the permittee notifies the department of the authorization at least 5 business days prior to the first day of the moose season, in which case the alternate subpermittee-designate becomes the subpermittee. The permittee may choose not to authorize a subpermittee to participate in the hunt.

A. A person may not sell a subpermittee or an alternate subpermittee designation.

B. A person who violates paragraph A commits a Class E crime.

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

Effective May 28, 2017.

**CHAPTER 97**

**H.P. 147 - L.D. 191**

**An Act To Allow Open Snowmobile and All-terrain Vehicle Weekends and Events**

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

**Sec. 1. 12 MRSA §13104, sub-§7, ¶E** is enacted to read:

E. The commissioner may annually establish one 3-consecutive-day period, 2 days of which are weekend days, during which a nonresident may

operate in the State a snowmobile that is not registered in this State if the nonresident's snowmobile has a valid registration from another state or a Canadian province.

**Sec. 2. 12 MRSA §13104, sub-§16**, as corrected by RR 2015, c. 2, §8, is repealed.

**Sec. 3. 12 MRSA §13155, sub-§1-A, ¶A**, as amended by PL 2009, c. 184, §2, 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.

(7) The commissioner may annually establish one 3-consecutive-day period, 2 days of

which are weekend days, during which a nonresident may operate in the State an ATV that is not registered in this State if the nonresident's ATV has a valid registration from another state or a Canadian province.

See title page for effective date.

## CHAPTER 98

### H.P. 387 - L.D. 543

#### An Act Regarding Political Action Committee Expenditures

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

**Sec. 1. 21-A MRSA §1054-B** is enacted to read:

#### **§1054-B. Payments to Legislators by political action committees**

If a Legislator is a principal officer or treasurer of a political action committee or is one of the individuals primarily responsible for raising contributions or making decisions for the political action committee, the committee may not compensate the Legislator for services provided to the committee. The committee may not make payments to or compensate a business owned or operated by the Legislator. The committee may reimburse the Legislator for expenses incurred in the proper performance of the duties of the Legislator, for purchases made on behalf of the committee and for travel expenses associated with volunteering for the committee. Allowable reimbursement for expenses does not include payments from the committee that are determined by the commission to be for the purpose of personal financial enrichment of the Legislator.

See title page for effective date.

## CHAPTER 99

### S.P. 232 - L.D. 670

#### An Act To Allow for Consistent Application of Credit for Driver's License Suspensions Imposed by the Court

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

**Sec. 1. 29-A MRSA §2411, sub-§5-A**, as amended by PL 2011, c. 81, §1, is further amended to read:

**5-A. Notice and custody.** The court shall give notice of a license suspension and shall take physical custody of the driver's license, except when the defendant demonstrates that the defendant's license was

previously restored by the Secretary of State following an administrative suspension under section 2453 or 2453-A for operating under the influence based on the same facts and circumstances giving rise to the court-ordered suspension.

**Sec. 2. 29-A MRSA §2434, sub-§4**, as amended by PL 2011, c. 81, §2, is further amended to read:

**4. Stay of suspension.** The court, on reasonable cause shown, may stay a suspension for a period not to exceed 4 hours from the time of sentencing and issue evidence of that stay, unless the defendant demonstrates that the defendant's license was previously restored by the Secretary of State following an administrative suspension under section 2453 or 2453-A for operating under the influence based on the same facts and circumstances giving rise to the court-ordered suspension, in which case the court may stay a suspension for up to 7 days.

See title page for effective date.

## CHAPTER 100

### H.P. 208 - L.D. 275

#### An Act To Expand Disabled Veteran Eligibility for Complimentary Hunting, Fishing and Trapping Licenses

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

**Sec. 1. 12 MRSA §10853, sub-§4**, as amended by PL 2015, c. 281, Pt. C, §3, is further amended to read:

**4. Disabled veteran.** A resident disabled veteran or a nonresident disabled veteran who is a resident of ~~New Hampshire or Vermont~~ another state may obtain upon application, at no cost, all hunting, trapping and fishing licenses, including permits, stamps and other permission needed to hunt, trap and fish, and, upon meeting the qualifications as established in section 12853, subsection 4, a guide license. A license holder under this subsection who qualifies to hunt during the special season on deer under section 11153 and who meets the eligibility requirements of section 11106 must be issued one antlerless deer permit and one either-sex permit. The commissioner shall issue all fishing, trapping and hunting licenses and permits requested under this subsection if the commissioner determines the applicant ~~is a disabled veteran~~ meets the requirements of this subsection and is not otherwise ineligible to hold that permit or license. For the purposes of this subsection, "disabled veteran" means a person who:

A. ~~Is a resident as defined in section 10001, subsection 53 or is a resident of New Hampshire or Vermont;~~

B. ~~Is a veteran as defined in Title 37-B, section 505, subsection 2, paragraph A, subparagraph (3) Was honorably discharged from the Armed Forces of the United States or the National Guard;~~ and

C. Has a service-connected disability evaluated at 50% or more.

Each application must be accompanied by satisfactory evidence that the applicant meets the requirements of this subsection. An applicant for a license or permit under this section is subject to the provisions of this Part, including, but not limited to, a lottery or drawing system for issuing a particular license or permit. A permit or license issued under this subsection remains valid for the life of the permit or license holder, as long as the permit or license holder continues to ~~satisfy the residency requirement in section 10001, subsection 53~~ remain a resident of this State or another state and the permit or license issued under this subsection is not revoked or suspended. For a ~~resident of New Hampshire or Vermont~~ nonresident to be eligible under this subsection, that ~~resident's~~ nonresident's state must have a reciprocal agreement with this State.

See title page for effective date.

## CHAPTER 101

### S.P. 223 - L.D. 661

#### An Act Regarding the Chain of Custody in Crematories

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

**Sec. 1. 22 MRSA §2843, sub-§3-A** is enacted to read:

**3-A. Permit for burial of cremated remains in public burying ground.** If cremated remains are buried in a public burying ground in this State, the person in charge of the public burying ground shall endorse and provide the date the cremated remains were buried on each permit with which that person is presented and return it to the State Registrar of Vital Statistics or to the clerk of the municipality in which the public burying ground is located within 7 days after the date of burial. If there is no person in charge of the public burying ground, an official of the municipality in which the public burying ground is located shall endorse and provide the date the cremated remains were buried on each such permit and present it to the State Registrar of Vital Statistics or the clerk of the municipality. The funeral director or authorized person shall present a copy of each permit, after endorsement, to the State Registrar of Vital Statistics or the clerk of the

municipality where death occurred and to the clerk who issued the permit. For the purposes of this subsection, "public burying ground" has the same meaning as in Title 13, section 1101-A, subsection 4.

**Sec. 2. 22 MRSA §2843, sub-§4**, as amended by PL 2009, c. 601, §27, is further amended to read:

**4. Records.** Each municipality shall maintain a record of any endorsed permit received pursuant to subsection 3 or 3-A. These records must be open to public inspection.

**Sec. 3. 22 MRSA §2843-A, sub-§10, ¶F** is enacted to read:

F. Upon cremation of the remains or dead body, the crematory shall prepare a certificate of cremation signed and dated by the person in charge of the cremation indicating the date of cremation and the identity of the cremated remains or dead body as identified by the funeral director or practitioner of funeral service or the cremation authorization form, including the deceased person's full name, date and place of death, gender and veteran status. The crematory shall provide the certificate of cremation to the funeral director or practitioner of funeral service or the person who has custody and control of the remains or dead body.

**Sec. 4. 32 MRSA §1405, last ¶**, as amended by PL 2007, c. 225, §1, is further amended to read:

Human remains may not be removed, transported or shipped to a crematory unless encased in a casket or other suitable container. Following cremation, the crematory shall label the container containing the cremated remains with the name of the person who was cremated.

See title page for effective date.

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## CHAPTER 102

### S.P. 30 - L.D. 81

#### An Act Regarding the Payment of Back Child Support

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

**Sec. 1. 14 MRSA §864** is amended to read:

#### §864. Presumption of payment after 20 years

Every judgment and decree of any court of record of the United States, or of any state, or justice of the peace in this State ~~shall be~~ is presumed to be paid and satisfied at the end of 20 years after any duty or obligations accrued by virtue of such judgment or decree, except for a child support order. For the purposes of this section, "child support order" means a judgment, decree or order, whether temporary, final or subject to modification, issued by a court or an administrative

agency of competent jurisdiction for the support and maintenance of a child, including a child who has attained the age of majority under the law of the issuing state, that provides for monetary support, health care, arrearages or reimbursement and may include related costs and fees, interest and penalties, income withholding, attorney's fees and other relief.

See title page for effective date.

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## CHAPTER 103

### S.P. 55 - L.D. 136

#### An Act Regarding the Eviction Process

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

**Sec. 1. 14 MRSA §6002, sub-§1, ¶C**, as amended by PL 2015, c. 293, §7, is further amended to read:

C. The tenant is 7 days or more in arrears in the payment of rent; ~~and~~

**Sec. 2. 14 MRSA §6002, sub-§1, ¶D**, as enacted by PL 2015, c. 293, §8, is amended to read:

D. The tenant is a perpetrator of domestic violence, sexual assault or stalking and the victim is also a tenant;

**Sec. 3. 14 MRSA §6002, sub-§1, ¶¶E and F** are enacted to read:

E. The tenant or the tenant's guest or invitee is the perpetrator of violence, a threat of violence or sexual assault against another tenant, a tenant's guest, the landlord or the landlord's employee or agent, except that this paragraph does not apply to a tenant who is a victim as defined in section 6000, subsection 4 and who has taken reasonable action under the circumstances to comply with the landlord's request for protection of the tenant, another tenant, a tenant's guest or invitee, the landlord or the landlord's employee or agent or of the landlord's property; or

F. The person occupying the premises is not an authorized occupant of the premises.

See title page for effective date.

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**CHAPTER 104****S.P. 250 - L.D. 805**

**An Act To Streamline the  
Municipal Review Process  
When Dividing a Structure into  
3 or More Dwelling Units and  
To Amend the Process for  
Recording Subdivision  
Variances**

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

**Sec. 1. 30-A MRSA §4401, sub-§4,** as amended by PL 2013, c. 126, §1, is further amended to read:

**4. Subdivision.** "Subdivision" means the division of a tract or parcel of land into 3 or more lots within any 5-year period that begins on or after September 23, 1971. This definition applies whether the division is accomplished by sale, lease, development, buildings or otherwise. The term "subdivision" also includes the division of a new structure or structures on a tract or parcel of land into 3 or more dwelling units within a 5-year period, the construction or placement of 3 or more dwelling units on a single tract or parcel of land and the division of an existing structure or structures previously used for commercial or industrial use into 3 or more dwelling units within a 5-year period.

A. In determining whether a tract or parcel of land is divided into 3 or more lots, the first dividing of the tract or parcel is considered to create the first 2 lots and the next dividing of either of these first 2 lots, by whomever accomplished, is considered to create a 3rd lot, unless:

(1) Both dividings are accomplished by a subdivider who has retained one of the lots for the subdivider's own use as a single-family residence that has been the subdivider's principal residence for a period of at least 5 years immediately preceding the 2nd division; or

(2) The division of the tract or parcel is otherwise exempt under this subchapter.

B. The dividing of a tract or parcel of land and the lot or lots so made, which dividing or lots when made are not subject to this subchapter, do not become subject to this subchapter by the subsequent dividing of that tract or parcel of land or any portion of that tract or parcel. The municipal reviewing authority shall consider the existence of the previously created lot or lots in reviewing a proposed subdivision created by a subsequent dividing.

C. A lot of 40 or more acres must be counted as a lot, except:

(2) When a municipality has, by ordinance, or the municipal reviewing authority has, by regulation, elected not to count lots of 40 or more acres as lots for the purposes of this subchapter when the parcel of land being divided is located entirely outside any shoreland area as defined in Title 38, section 435 or a municipality's shoreland zoning ordinance.

D-1. A division accomplished by devise does not create a lot or lots for the purposes of this definition, unless the intent of the transferor is to avoid the objectives of this subchapter.

D-2. A division accomplished by condemnation does not create a lot or lots for the purposes of this definition, unless the intent of the transferor is to avoid the objectives of this subchapter.

D-3. A division accomplished by order of court does not create a lot or lots for the purposes of this definition, unless the intent of the transferor is to avoid the objectives of this subchapter.

D-4. A division accomplished by gift to a person related to the donor of an interest in property held by the donor for a continuous period of 5 years prior to the division by gift does not create a lot or lots for the purposes of this definition, unless the intent of the transferor is to avoid the objectives of this subchapter. If the real estate exempt under this paragraph is transferred within 5 years to another person not related to the donor of the exempt real estate as provided in this paragraph, then the previously exempt division creates a lot or lots for the purposes of this subsection. "Person related to the donor" means a spouse, parent, grandparent, brother, sister, child or grandchild related by blood, marriage or adoption. A gift under this paragraph can not be given for consideration that is more than 1/2 the assessed value of the real estate.

D-5. A division accomplished by a gift to a municipality if that municipality accepts the gift does not create a lot or lots for the purposes of this definition, unless the intent of the transferor is to avoid the objectives of this subchapter.

D-6. A division accomplished by the transfer of any interest in land to the owners of land abutting that land does not create a lot or lots for the purposes of this definition, unless the intent of the transferor is to avoid the objectives of this subchapter. If the real estate exempt under this paragraph is transferred within 5 years to another person without all of the merged land, then the previously exempt division creates a lot or lots for the purposes of this subsection.

E. The division of a tract or parcel of land into 3 or more lots and upon each of which lots permanent dwelling structures legally existed before September 23, 1971 is not a subdivision.

F. In determining the number of dwelling units in a structure, the provisions of this subsection regarding the determination of the number of lots apply, including exemptions from the definition of a subdivision of land.

~~G. Notwithstanding the provisions of this subsection, leased dwelling units are not subject to subdivision review if the municipal reviewing authority has determined that the units are otherwise subject to municipal review at least as stringent as that required under this subchapter.~~

~~H-1. This subchapter may not be construed to prevent a municipality from enacting an ordinance under its home rule authority that:~~

~~(1) Expands the definition of "subdivision" to include the division of a structure for commercial or industrial use; or~~

~~(2) Otherwise regulates land use activities.~~

~~A municipality may not enact an ordinance that expands the definition of "subdivision" except as provided in this subchapter. A municipality that has a definition of "subdivision" that conflicts with the requirements of this subsection at the time this paragraph takes effect shall comply with this subsection no later than January 1, 2006. Such a municipality must file its conflicting definition at the county registry of deeds by June 30, 2003 for the definition to remain valid for the grace period ending January 1, 2006. A filing required under this paragraph must be collected and indexed in a separate book in the registry of deeds for the county in which the municipality is located.~~

H-2. This subchapter may not be construed to prevent a municipality from enacting an ordinance under its home rule authority that otherwise regulates land use activities.

A municipality may not enact an ordinance that expands the definition of "subdivision" except as provided in this subchapter. A municipality that has a definition of "subdivision" that conflicts with the requirements of this subsection at the time this paragraph takes effect shall comply with this subsection no later than January 1, 2019. Such a municipality must file its conflicting definition at the county registry of deeds by June 30, 2018 for the definition to remain valid for the grace period ending January 1, 2019. A filing required under this paragraph must be collected and indexed in a separate book in the registry of deeds

for the county in which the municipality is located.

I. The grant of a bona fide security interest in an entire lot that has been exempted from the definition of subdivision under paragraphs D-1 to D-6, or subsequent transfer of that entire lot by the original holder of the security interest or that person's successor in interest, does not create a lot for the purposes of this definition, unless the intent of the transferor is to avoid the objectives of this subchapter.

**Sec. 2. 30-A MRSA §4402, sub-§4**, as amended by PL 1997, c. 323, §2, is further amended to read:

**4. Airports with an approved airport layout plan.** Any airport with an airport layout plan that has received final approval from the airport sponsor, the Department of Transportation and the Federal Aviation Administration; or

**Sec. 3. 30-A MRSA §4402, sub-§5, ¶D**, as enacted by PL 1997, c. 323, §3, is amended to read:

D. That has been the subject of an enforcement action or order, and record of the action or order was recorded in the appropriate registry of deeds; or

**Sec. 4. 30-A MRSA §4402, sub-§6** is enacted to read:

**6. Division of new or existing structures.** Beginning July 1, 2018, a division of a new or existing structure into 3 or more dwelling units whether the division is accomplished by sale, lease, development or otherwise in a municipality where the project is subject to municipal site plan review in accordance with Title 38, section 488, subsection 19 or Title 38, section 489-A.

**Sec. 5. 30-A MRSA §4406, sub-§1, ¶B**, as enacted by PL 1989, c. 104, Pt. A, §45 and Pt. C, §10 and amended by c. 362, §2 and c. 769, §1, is further amended to read:

B. Whenever the initial approval or any subsequent amendment of a subdivision is based in part on the granting of a variance from any applicable subdivision approval standard, that fact must be expressly noted on the face of the subdivision plan to be recorded in the registry of deeds.

(1) In the case of an amendment, if no amended plan is to be recorded, a certificate must be prepared in recordable form and recorded in the registry of deeds. This certificate must:

(a) Indicate the name of the current property owner;

- (b) Identify the property by reference to the last recorded deed in its chain of title; and
- (c) Indicate the fact that a variance, including any conditions on the variance, has been granted and the date of the granting.

(2) The variance is not valid until recorded as provided in this paragraph. Recording must occur within ~~90 days~~ 2 years of the final subdivision approval or approval under Title 38, chapter 3, subchapter ~~1~~ 1, article 6, where applicable, whichever date is later, or the variance is void.

See title page for effective date.

**CHAPTER 105**

**S.P. 259 - L.D. 814**

**An Act Regarding Court Orders for Completion of a Batterers' Intervention Program in Domestic Violence Cases**

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

**Sec. 1.** 17-A MRSA §1151, sub-§7, as enacted by PL 1975, c. 499, §1, is amended to read:

7. To promote the development of correctional programs ~~which that~~ that elicit the cooperation of convicted persons; ~~and~~

**Sec. 2.** 17-A MRSA §1151, sub-§8, ¶B, as amended by PL 2005, c. 551, §1, is further amended to read:

B. The selection by the defendant of the person against whom the crime was committed or of the property that was damaged or otherwise affected by the crime because of the race, color, religion, sex, ancestry, national origin, physical or mental disability, sexual orientation or homelessness of that person or of the owner or occupant of that property; ~~and~~

**Sec. 3.** 17-A MRSA §1151, sub-§9 is enacted to read:

9. To recognize domestic violence as a serious crime against the individual and society and to recognize batterers' intervention programs certified pursuant to Title 19-A, section 4014 as the most appropriate and effective community intervention in cases involving domestic violence.

**Sec. 4.** 17-A MRSA §1204, sub-§6 is enacted to read:

6. If a person is convicted of a crime under chapter 9 or 13 or section 758 that the State pleads and proves was committed by the person against a spouse, domestic partner or sexual partner; a former spouse, domestic partner or sexual partner; an individual with whom the person is living or lived as a spouse; or an individual who is or was a dating partner of the person and the court does not order as a condition of probation that the person complete a batterers' intervention program certified pursuant to Title 19-A, section 4014, the court shall make findings on the record of the court's reasons for not ordering the person to complete a batterers' intervention program. If a plea agreement submitted to the court in accordance with Rule 11A(b) of the Maine Rules of Unified Criminal Procedure does not contain a provision ordering the person to complete a batterers' intervention program, the attorney for the State shall indicate, in a writing submitted to the court, the basis for the plea agreement's not including completion of a batterers' intervention program as a condition of probation. For purposes of this subsection, "dating partner" means an individual currently or formerly involved in dating the person, whether or not the individual and the person are or were sexual partners. For purposes of this subsection, "domestic partner" means one of 2 unmarried adults who are domiciled together under a long-term arrangement that evidences a commitment to remain responsible indefinitely for each other's welfare.

See title page for effective date.

**CHAPTER 106**

**S.P. 444 - L.D. 1292**

**An Act To Improve the Foreclosure Process by Regulating Mortgage Loan Servicers**

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

**Sec. 1.** 9-A MRSA §1-301, sub-§17, as repealed and replaced by PL 2011, c. 427, Pt. A, §4, is amended to read:

17. "Creditor" means a person who both:

A. Regularly extends, whether in connection with loans, sales of property or services, or otherwise, consumer credit that is payable by agreement in more than 4 installments or for which the payment of a finance charge is or may be required; and

B. Is the person to whom the debt arising from the consumer credit transaction is initially payable on the face of the evidence of indebtedness or, if there is no such evidence of indebtedness, by agreement; except that, in the case of an open-end credit plan involving a credit card, the card issuer and any person who honors the credit card and of-

fers a discount that is a finance charge are creditors.

For the purpose of the requirements imposed under Article 8-A for credit billing pursuant to 15 United States Code, Section 1666 et seq. and for open-end consumer credit pursuant to 15 United States Code, Section 1637(a)(5), (a)(6), (a)(7), (b)(1), (b)(2), (b)(3), (b)(8) and (b)(10), "creditor" also includes card issuers whether or not the amount due is payable by agreement in more than 4 installments or the payment of a finance charge is or may be required and the administrator shall by regulation apply these requirements to those card issuers, to the extent appropriate, even though the requirements are by their terms applicable only to creditors offering open-end credit plans.

For the purposes of this Title, "creditor" also includes any person who originates 2 or more mortgages referred to as high-cost mortgage loans under Article 8-A, section 8-506 in any 12-month period or any person who originates one or more such mortgage loans through a mortgage broker as defined in Article 8-A, section 8-506, subsection 1, paragraph J, or a loan broker as defined in Article 10.

For purposes of this Title, "creditor" also includes a private educational lender as that term is defined in 15 United States Code, Section 1650.

A person regularly extends consumer credit only if the person extended credit other than credit subject to high-cost mortgage loan requirements more than 25 times or more than 5 times for transactions secured by a dwelling in the preceding calendar year. If a person did not meet these numerical standards in the preceding calendar year, the numerical standards must be applied to the current calendar year.

"Creditor" includes a mortgage loan servicer.

**Sec. 2. 9-A MRSA §1-301, sub-§24-C** is enacted to read:

**24-C.** "Mortgage loan servicer" means a person or organization that undertakes direct collection of payments from or enforcement of rights against debtors arising from a supervised loan secured by a dwelling.

**Sec. 3. 9-A MRSA §1-301, sub-§39**, as amended by PL 1997, c. 66, §4, is further amended to read:

**39.** "Supervised lender" means a person authorized to make or take assignments of or to service supervised loans, either under a license issued by the ~~Administrator (section 2-301), administrator under section 2-301~~ or as a supervised financial organization ~~(section 1-301, subsection 38-A).~~

**Sec. 4. 9-A MRSA §2-301**, as amended by PL 1987, c. 129, §33, is further amended to read:

## **§2-301. Authority to make or service supervised loans**

Unless a person is a supervised financial organization, a financial institution holding company as defined in Title 9-B, section 1011, subsection 1 or a mutual holding company as defined in Title 9-B, section 1052, subsection 2 or has first obtained a license pursuant to this Act from the administrator authorizing ~~him~~ the person to make or service supervised loans, ~~he shall~~ the person may not engage in the business of:

1. Making supervised loans; ~~or~~

2. Taking assignments of and undertaking direct collection of payments from or enforcement of rights from an office in this State against debtors arising from supervised loans; ~~or~~

3. Servicing mortgage loans.

**Sec. 5. 9-A MRSA §2-302**, as amended by PL 2013, c. 466, §§1 to 5, is further amended to read:

## **§2-302. License to make or service supervised loans**

1. The administrator shall receive and act on all applications for licenses to make or service supervised loans under this Act. Applications must be filed in the manner prescribed by the administrator and must contain the information required by the administrator to make an evaluation of the financial responsibility, character and fitness of the applicant.

A. For a lender subject to this subsection whose activities include making or arranging residential mortgage loans, an application for a license to make or service supervised loans must be made electronically, through the nationwide mortgage licensing system and registry. Licenses expire December 31st of each year and must be renewed through the nationwide mortgage licensing system and registry. An application for an initial license must be accompanied by a fee of \$250, and an annual renewal application must be accompanied by a fee of \$100. An application for an initial license or renewal for a place of business other than that of the applicant's first licensed location must be accompanied by a fee of \$100. An applicant must also pay a nationwide mortgage licensing system and registry processing fee in an amount to be determined by the administrators of the nationwide mortgage licensing system and registry. A non-profit organization exempt from taxation under the United States Internal Revenue Code, Section 501(c)(3) and engaged in the financing of housing for low-income people under a program designed specifically for that purpose must pay an initial licensing fee, and a fee for each branch location, of \$20 and a renewal licensing fee and renewal fee for each branch location of \$10, plus the applica-

ble nationwide mortgage licensing system and registry processing fee.

B. For a lender subject to this subsection whose activities do not include making or arranging residential mortgage loans, an initial application for a license must be accompanied by a \$500 fee and a renewal application must include a \$200 fee. A license is granted for a 2-year period and expires on September 30th of the 2nd year. An application for an initial license or renewal for a place of business other than that of the applicant's first licensed location must be accompanied by a fee of \$200.

2. A license to make or service supervised loans or as a mortgage loan originator may not be issued unless the administrator, upon investigation, finds that the financial responsibility, character and fitness of the applicant, and of the members thereof, if the applicant is a copartnership or association, and of the officers and directors thereof, if the applicant is a corporation, and, when applicable, the character and fitness of the mortgage loan originators thereof, are such as to warrant belief that the business will be operated honestly and fairly within the purposes of this Act. In determining the financial responsibility of an applicant proposing to engage in making insurance premium loans, the administrator shall consider the liabilities the lender may incur for erroneous cancellation of insurance.

A. Every applicant shall also, at the time of filing such application, file with the administrator, if the administrator so requires, a surety bond satisfactory to the administrator in an amount not to exceed \$50,000. The terms of the bond must run concurrent with the period of time during which the license will be in effect. The bond must run to the State for the use of the State and of any person or persons who may have a cause of action against the licensee under this Act. The bond must be conditional that the licensee will faithfully conform to and abide by the provisions of this Act and to all rules lawfully made by the administrator under this Act and will pay to the State and to any such person or persons any and all amounts of money that may become due or owing to the State or to such person or persons from the licensee under and by virtue of this Act during the period for which the bond is given.

B. As used in this section, the term "financial responsibility" means that the applicant has available for the operation of the licensed business net assets of at least \$25,000 and upon issuance of a license, each licensee shall maintain net assets of at least \$25,000 that are either used or readily available for use in the conduct of the business of each office of the licensee in which supervised loans are made or serviced.

D. In determining the financial responsibility of a nonprofit organization engaged in the financing of housing for low-income people under a program specifically designed for that purpose, the administrator may waive the requirement of a bond and availability of \$25,000 of net assets, if the applicant submits appropriate additional evidence of financial responsibility.

3. Upon written request, the applicant is entitled to a hearing on the question of the applicant's qualifications for a license or registration if (a) the administrator has notified the applicant in writing that the application has been denied, or (b) the administrator has not issued a license or registration within 60 days after the application for the license or registration was filed. A request for a hearing may not be made more than 15 days after the administrator has mailed a writing to the applicant notifying the applicant that the application has been denied and stating in substance the administrator's findings supporting denial of the application.

4. A separate license is required for each place of business. Each branch location license application must be accompanied by a surety bond, in a form acceptable to the administrator, in the amount of \$50,000.

5. A licensee may conduct the business of making or servicing supervised loans only at or from any place of business for which ~~he~~ the licensee holds a license and not under any other name than that in the license. For purposes of this subsection, the closing of a supervised loan, secured by an interest in real estate, made by the licensee, at the office of an attorney or land title company, ~~shall~~ may not be considered the making or servicing of a supervised loan at the place of business other than the licensee's licensed location. Loans made pursuant to a lender credit card do not violate this subsection.

5-A. A licensee subject to subsection 1, paragraph A may conduct the business of making supervised loans only through a mortgage loan originator who possesses a current, valid license.

6. Any supervised loan, otherwise valid under the provisions of this Act, made by any corporation or by any subsidiary or affiliate of any corporation to which a license is granted by the administrator on or before June 30, 1975, and to which said supervised loan is assigned, ~~shall be~~ is deemed to have been made by a duly licensed licensee, provided the administrator finds that said corporation has made a good faith effort to comply with the licensing provisions of this Act.

**Sec. 6. 9-A MRSA §2-303, sub-§1,** as amended by PL 2011, c. 427, Pt. B, §7, is further amended to read:

1. The administrator may file a complaint with the District Court to suspend or revoke a license to make ~~or~~ originate or service supervised loans if the

administrator finds reason to believe, after investigation or hearing, or both, that:

- A. The licensee has violated this Act or any rule or order made pursuant to this Act; or
- B. Facts or conditions exist that would clearly have justified the administrator in refusing to grant a license had these facts or conditions been known to exist at the time the application for the license was made.

An affirmative finding by the District Court of either cause is sufficient to suspend or revoke the license.

**Sec. 7. 9-A MRSA §2-303-A**, as amended by PL 2011, c. 427, Pt. B, §8, is further amended to read:

**§2-303-A. Temporary suspension of license**

Notwithstanding Title 5, sections 10003 and 10004 and Title 10, section 8003, if the public interest or the protection of borrowers so requires, the administrator may, by order, suspend a license to make or service supervised loans or a license as a mortgage loan originator or postpone the effective date of such a license. Upon entry of the order, the administrator shall promptly notify the applicant or licensee that an order has been entered, of the reasons for the order and that, within 15 days after the receipt of a written request by the applicant or licensee, the matter must be scheduled for hearing. Section 2-303 applies to all subsequent proceedings.

**Sec. 8. 9-A MRSA §2-304, sub-§2**, as amended by PL 2013, c. 466, §6, is further amended to read:

2. The administrator may direct each licensee to file composite annual and quarterly reports relating to all supervised loans made ~~or~~ arranged or serviced by that licensee. Information contained in annual and quarterly reports is confidential and may be published only in composite form. The administrator may at any time require additional reports if the administrator determines such action necessary to the proper supervision of licensees.

**Sec. 9. 9-A MRSA §2-309**, as enacted by PL 1973, c. 762, §1, is amended to read:

**§2-309. No other business for purpose of evasion**

A supervised lender may not carry on other business for the purpose of evasion or violation of this Act at a location where ~~he~~ the supervised lender makes or services supervised loans.

**Sec. 10. 9-A MRSA §9-101**, as amended by PL 2007, c. 273, Pt. A, §24 and affected by §41, is further amended to read:

**§9-101. Scope**

This ~~article~~ Article applies to all consumer credit transactions made by creditors that are not supervised

financial organizations, that are made to finance or refinance the acquisition of real estate or the initial construction of a dwelling or that are secured by a first-lien mortgage on real estate and applies to the servicing of those transactions.

**Sec. 11. 9-A MRSA §9-201**, as enacted by PL 1987, c. 396, §12, is amended to read:

**§9-201. Authority to make or service supervised loans; licensing**

The provisions of ~~article II, part 3~~, sections 2-301 to 2-304 ~~shall~~ control the authority of supervised lenders and mortgage loan servicers that are not supervised financial organizations; to make or service loans governed by this ~~article~~ Article.

See title page for effective date.

**CHAPTER 107**

**S.P. 233 - L.D. 671**

**An Act To Allow for Accurate  
Credit for a License  
Suspension for Operating  
under the Influence**

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

**Sec. 1. 29-A MRSA §2413, sub-§3**, as repealed and replaced by PL 2005, c. 683, Pt. B, §23, is amended to read:

**3. Penalties.** In addition to any other penalty, the court shall suspend the driver's license of a person convicted under subsection 1 for not less than 30 days nor more than 180 days, which minimum may not be suspended. In addition to any other penalty, the court shall suspend the driver's license of a person convicted under subsection 1-A for not less than 180 days nor more than 2 years, which minimum may not be suspended. If the court fails to suspend the license, the Secretary of State shall impose the minimum period of suspension. The court shall impose a sentencing alternative that involves a fine of not less than \$575, which may not be suspended. If a person's license is suspended under section 2453 or 2453-A arising out of the same occurrence, the period of time the license has been suspended under section 2453 or 2453-A prior to conviction must be deducted from the period of suspension under this subsection.

See title page for effective date.

**CHAPTER 108**  
**H.P. 891 - L.D. 1278**

**An Act To Amend the Military  
Bureau Laws and Veterans  
Service Laws**

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

**Sec. 1. 37-B MRSA §3, sub-§1, ¶D**, as amended by PL 2015, c. 465, Pt. A, §1, is further amended to read:

D. Have the following powers and duties.

(1) The Adjutant General shall administer the department subordinate only to the Governor.

(2) The Adjutant General shall establish methods of administration consistent with the law necessary for the efficient operation of the department.

(3) The Adjutant General may prepare a budget for the department.

(4) The Adjutant General may transfer personnel from one bureau to another within the department.

(5) The Adjutant General shall supervise the preparation of all state informational reports required by the federal military establishment.

(6) The Adjutant General shall keep an accurate account of expenses incurred and, in accordance with Title 5, sections 43 to 46, make a full report to the Governor as to the condition of the military forces, and as to all business transactions of the Military Bureau, including detailed statements of expenditures for military purposes.

(7) The Adjutant General is responsible for the custody, care and repair of all military property belonging to or issued to the State for the military forces and shall dispose of military property belonging to the State that is unserviceable. The Adjutant General shall account for and deposit the proceeds from that disposal with the Treasurer of State, who shall credit them to the Capital Repair, Maintenance, Construction and Acquisition Account of the Military Bureau.

(8) The Adjutant General may sell for cash to officers of the state military forces, for their official use, and to organizations of the state military forces, any military or naval property that is the property of the State. The Adjutant General shall, with an annual report, render to the Governor an accurate account of the sales

and deposit the proceeds of the sales with the Treasurer of State, who shall credit them to the General Fund.

(9) The Adjutant General shall represent the state military forces for the purpose of establishing the relationship between the federal military establishment and the various state military staff departments.

(10) The Adjutant General shall accept, receive and administer federal funds for and on behalf of the State that are available for military purposes or that would further the intent and specific purposes of this chapter and chapter 3. The Adjutant General shall provide the personnel, supplies, services and matching funds required by a federal cost-sharing arrangement pursuant to 31 United States Code, Chapters 63 and 65 (2013); 32 United States Code (2013); and National Guard Regulation 5-1 (2010). The Adjutant General shall receive funds and property and an accounting for all expenditures and property acquired through such a federal cost-sharing arrangement and make returns and reports concerning those expenditures and that property as required by such a federal cost-sharing arrangement.

(11) The Adjutant General shall acquire, construct, operate and maintain military facilities necessary to comply with this Title and Title 32 of the United States Code and shall operate and maintain facilities now within or hereafter coming within the jurisdiction of the Military Bureau.

(12) The Adjutant General may adopt rules pertaining to compliance with state and federal contracting requirements, subject to Title 5, chapter 375. Those rules must provide for approval of contracts by the appropriate state agency.

(13) The Adjutant General shall allocate and supervise any funds made available by the Legislature to the Civil Air Patrol.

(14) The Adjutant General shall report at the beginning of each biennium to the joint standing committee of the Legislature having jurisdiction over veterans' affairs on any recommended changes or modifications to the laws governing veterans' affairs, particularly as those changes or modifications relate to changes in federal veterans' laws. The report must include information on the status of communications with the United States Department of Veterans Affairs regarding the potential health risks to and the potential disabilities of veterans who as members of the

Maine National Guard were exposed to environmental hazards at the Canadian military support base in Gagetown, New Brunswick, Canada.

(15) The Adjutant General may receive personal property from the United States Department of Defense that the Secretary of Defense has determined is suitable for use by agencies in law enforcement activities, including counter-drug activities, and in excess of the needs of the Department of Defense pursuant to 10 United States Code, Section 2576a, and transfer ownership of that personal property to state, county and municipal law enforcement agencies notwithstanding any other provision of law. The Adjutant General may receive excess personal property from the United States Department of Defense for use by the department, notwithstanding any other provision of law.

(16) The Adjutant General may establish a science, mathematics and technology education improvement program for schoolchildren known as the STARBASE Program. The Adjutant General may accept financial assistance and in-kind assistance, advances, grants, gifts, contributions and other forms of financial assistance from the Federal Government or other public body or from other sources, public or private, to implement the STARBASE Program. The Adjutant General may employ a director and other employees, permanent or temporary, to operate the STARBASE Program.

(17) The Adjutant General shall establish a system, to be administered by the Director of the Bureau of Maine Veterans' Services, to express formally condolence and appreciation to the closest surviving family members of members of the United States Armed Forces who, since September 11, 2001, are killed in action or die as a consequence of injuries that result in the award of a Purple Heart medal. In accordance with the existing criteria of the department for the awarding of gold star medals, this system must provide for the Adjutant General to issue up to 3 gold star medals to family members who reside in the State, one to the spouse of the deceased service member and one to the parents of the service member. If the parents of the service member are divorced, the Adjutant General may issue one medal to each parent. If the service member has no surviving spouse or parents or if they live outside of the State, the Adjutant General may issue a gold star medal to the service member's next of kin, as re-

ported to the department, who resides in the State.

(18) The Adjutant General may establish a National Guard Youth Challenge Program consistent with 32 United States Code, Section 509 (1990). The Adjutant General may accept financial assistance from the Federal Government or other public body or from other sources, public and private, to implement the National Guard Youth Challenge Program. The Adjutant General may employ a director and other employees, permanent or temporary, to operate the program.

(19) The Adjutant General may execute cooperative agreements for purposes described or defined by this Title and other arrangements necessary to operate the department.

(20) The Adjutant General shall act as the Governor's homeland security advisor.

(21) The Adjutant General shall implement a program to identify residents of the State who are not considered veterans but are military retirees or former members of the Maine Army National Guard or Maine Air National Guard who successfully completed service.

(22) The Adjutant General may negotiate and execute agreements to provide state military forces to or accept military forces from other states in support of federally funded National Guard missions.

**Sec. 2. 37-B MRSA §102, sub-§1, ¶A**, as amended by PL 2003, c. 342, §2, is further amended to read:

A. The Maine Army National Guard and the Maine Air National Guard, referred to in this Title as the "National Guard," when either or both are not in federal service and state military forces provided under section 3, subsection 1, paragraph D, subparagraph (22), but not the Maine Military Authority; and

**Sec. 3. 37-B MRSA §152**, as amended by PL 2015, c. 465, Pt. D, §1, is further amended to read:

**§152. Armory Rental Fund; authority to rent armories, readiness centers and other real property**

**1. Fund established.** The Armory Rental Fund is established in the Military Bureau as a nonlapsing fund to assist in defraying the operation and maintenance expenses of the Military Bureau's state-owned facilities. Funds in the Armory Rental Fund are in addition to appropriations for these purposes made to the Military Fund.

**2. Rental proceeds.** Except as provided in section 353-A, rental proceeds from the rental of armor-

ies, readiness centers and other real property under this section must be paid into the State Treasury and credited to the Armory Rental Fund to be used for operation and maintenance expenses at the various state-owned facilities of the Military Bureau and for pay and allowances for members called to active state service under section 181-A, subsection 5. Rental proceeds credited to the Armory Rental Fund are in addition to the appropriations made for operation and maintenance expenses included for that purpose in the Military Fund.

**3. Waiver of rental fees.** The Adjutant General or the Adjutant General's designee may waive rental fees under this section for certain youth and charitable organizations under 32 United States Code, Section 508 or as otherwise designated by the Adjutant General.

**Sec. 4. 37-B MRSA §153**, as enacted by PL 1995, c. 684, §2, is amended to read:

**§153. Authority to rent armories, readiness centers and other real property**

The Military Bureau may rent armories, readiness centers and other real property for activities that do not conflict with the military training mission.

**Sec. 5. 37-B MRSA §190** is enacted to read:

**§190. Security at National Guard military facilities and real property of the department**

This section governs the provision of security at National Guard military facilities and real property of the department.

**1. Appointment of a provost marshal.** The Adjutant General may appoint a provost marshal to oversee security at National Guard military facilities and real property consistent with federal regulations governing similar federally owned facilities located in the State.

**2. Designation of military facilities.** For purposes of this section, the Adjutant General may designate all or portions of department facilities or real property of the department as military facilities.

**3. Funding.** Modifications of National Guard military facilities or real property of the department or changes to protocols or procedures or actions to provide security in a manner consistent with federal regulations governing similar federally owned facilities in the State are limited to those that are without cost or are federally funded either directly or indirectly through a cooperative agreement.

**Sec. 6. 37-B MRSA §505, sub-§2, ¶A**, as amended by PL 2007, c. 521, §3, is further amended to read:

A. As used in this subsection, unless the context otherwise indicates, the following terms have the following meanings.

(1) "Child" means a natural child whose mother or father is or was a veteran or a child who was adopted prior to turning 18 years of age and whose adoptive mother or father is or was a veteran and who:

- (a) Is at least 16 years of age;
- (b) Has graduated from high school; and
- (c) Enrolled in a degree program and was awarded benefits under this subsection prior to the child's 22nd birthday. If the child is unable to enroll in a degree program prior to turning 22 years of age due to service in the United States Armed Forces, then the child may apply to begin this benefit until reaching 26 years of age. Other requirements must be met as described in paragraph F.

~~"Child" also means includes a stepchild who is a member of a veteran's household either at the time of application or, in the event of the veteran's death, at the time of death, and who continues as a member of the household after the death of the veteran. At least 5 years must have elapsed since the veteran married the parent of the stepchild before the stepchild is eligible for educational benefits, and the biological parent of the stepchild must reside in the veteran's household while the stepchild receives educational benefits whose parent is married to an eligible veteran for at least 5 years and remains married to the veteran during the period for which benefits are received.~~

(2) "Spouse" means the person currently legally married to a living veteran or the unmarried widow or widower of a deceased veteran, not previously divorced from that veteran.

Awards under the educational benefits program are authorized to provide benefits to only one spouse per veteran.

(3) "Veteran" means any person who served in the military or naval forces of the United States and entered the service from this State or has been a resident of this State for 5 years immediately preceding application for aid and, if living, continues to reside in this State throughout the duration of benefits administered under the educational benefits program and who:

- (a) Has a total permanent disability resulting from a service-connected disability as a result of service;

- (b) Was killed in action;
- (c) Died from a service-connected disability as a result of service;
- (d) At the time of death was totally and permanently disabled due to service-connected disability, but whose death was not related to the service-connected disability; or
- (e) Is a member of the Armed Forces on active duty who has been listed for more than 90 days as missing in action, captured or forcibly detained or interned in the line of duty by a foreign government or power.

The continuous residency requirement of this subparagraph does not apply to a person who is receiving educational benefits under this chapter on or before January 1, 2006.

**Sec. 7. 37-B MRSA §508**, as amended by PL 2013, c. 569, §4, is further amended by adding at the end a new paragraph to read:

A veteran service officer may not knowingly present or prosecute a fraudulent claim against the United States or knowingly provide false information to the United States; demand or accept unlawful compensation for preparing, presenting or prosecuting a claim or advising or consulting concerning a claim; or knowingly present to the United States Department of Veterans Affairs a frivolous claim, issue or argument. A claim, issue or argument is frivolous if the veteran service officer is unable to make a good faith argument on the merits of the position taken or to support the position taken by a good faith argument for an extension, modification or reversal of existing law.

See title page for effective date.

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## CHAPTER 109 H.P. 918 - L.D. 1324

### An Act To Support Innovation, Entrepreneurship and Maine's Economic Future

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

**Sec. 1. 5 MRSA §15301, sub-§§1-A to 1-C** are enacted to read:

**1-A. Accelerator.** "Accelerator" means a program that supports entrepreneurs by providing training, business assistance and mentors in a time-limited training program.

**1-B. Entrepreneurial support system.** "Entrepreneurial support system" means a network of or-

ganizations and programs in the State that facilitate entrepreneurial growth including capital providers, chambers of commerce, local governments, economic development organizations, universities, incubators and accelerators.

**1-C. Incubator.** "Incubator" means a program that supports entrepreneurs by providing training, business assistance and mentors and office, manufacturing or laboratory space.

**Sec. 2. 5 MRSA §15301, sub-§2-A** is enacted to read:

**2-A. Technology transfer.** "Technology transfer" means the disclosure, protection and licensing of intellectual property including patents, trademarks, copyrights and trade secrets.

**Sec. 3. 5 MRSA §15303, sub-§6, ¶E**, as enacted by PL 1999, c. 401, Pt. AAA, §3, is amended to read:

E. Shall cooperate with the Department of Economic and Community Development, ~~the Maine Science and Technology Foundation~~, the Maine Manufacturing Extension Program Partnership, the University of Maine System and others in their efforts to ensure that a complementary system of support services, including, as needed and appropriate, incubators, business assistance, technology transfer, market research, patent research and similar services, is in place and available to companies and research laboratories receiving funds from the institute.

**Sec. 4. 5 MRSA §15303, sub-§7**, as enacted by PL 1999, c. 401, Pt. AAA, §3, is amended to read:

**7. Other duties and powers.** The institute shall do all things necessary or convenient to carry out the lawful purposes of the institute under this chapter: and may establish and operate programs, including, but not limited to, the following:

A. A technology center pursuant to section 15322;

B. A program to promote and encourage the establishment, maintenance and operation of incubators and accelerators in the entrepreneurial support system by awarding grants and other forms of financial assistance to companies, nonprofit entities, economic development agencies, educational institutions, government agencies or other entities for programs that promote an entrepreneurial business environment or train or educate entrepreneurs. Support for a program under this paragraph must be awarded on a competitive basis, with effectiveness and effect on Maine's economy as the primary criteria. The administrative costs of a program under this paragraph are not management and related operating costs of the institute under section 15305;

C. A program, in cooperation with the University of Maine System, to provide summer internship opportunities for college students in the entrepreneurial support system. Students must be selected on a competitive basis and be placed with companies, nonprofit entities, economic development agencies, educational institutions, government agencies or other entities in targeted technologies. The administrative costs of a program under this paragraph are not management and related operating costs of the institute under section 15305;

D. A program, in collaboration with the Maine Innovation Economy Advisory Board under Title 10, section 949, to support the technology transfer activities of the University of Maine System, other postsecondary educational institutions in the State and nonprofit research institutes eligible for funding under an asset technology fund established and administered by the institute, to increase the level of patenting at the University of Maine System, other postsecondary institutions in the State and nonprofit research institutes and to promote the licensing of the patents, especially to new and existing companies with operations in the State. Support under this paragraph may include expenses associated with patenting and licensing. The administrative costs of a program under this paragraph are not management and related operating costs of the institute under section 15305; and

E. A program in collaboration with the University of Maine School of Law to support the commercialization and manufacturing of innovations in the State by providing education and assistance with the patent process of the United States Patent and Trademark Office to companies, inventors and entrepreneurs in the State. The administrative costs of a program under this paragraph are not management and related operating costs of the institute under section 15305.

**Sec. 5. 5 MRSA §15322, sub-§2, ¶B**, as enacted by PL 2011, c. 691, Pt. C, §4, is amended to read:

B. 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 unless the technology centers are administered by the Maine Technology Institute pursuant to section 15303, subsection 7, paragraph A.

See title page for effective date.

## CHAPTER 110

### S.P. 468 - L.D. 1360

#### An Act To Conform the State Workforce Board and Workforce Development Programs to the Federal Workforce Innovation and Opportunity Act

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

**Sec. 1. 5 MRSA §1507, sub-§5-A**, as amended by PL 2003, c. 20, Pt. OO, §2 and affected by §4 and amended by c. 114, §1, is further amended to read:

**5-A. Job development training.** The Governor may allocate funds from such account in amounts not to exceed in total the sum of \$1,000,000 to provide funds for any unusual, unforeseen or extraordinary needs for state assistance in creating jobs by assisting in meeting the training requirements of labor-intensive new or expanding industries. Allocations for this purpose may be made from this fund by the Governor only upon the written request of the Commissioner of Labor and the Commissioner of Economic and Community Development and after consultation with the State Budget Officer. The commissioners' request to the Governor must be formulated subsequent to their consultation with the Commissioner of Education, the President of the Maine Community College System and the director of the appropriate local workforce investment area designated pursuant to the federal Workforce ~~Investment~~ Innovation and Opportunity Act of 1998, Public Law ~~405-220~~ 113-128.

**Sec. 2. 5 MRSA §1737, sub-§4**, as amended by PL 2007, c. 84, §1, is further amended to read:

**4. Directed services.** Notwithstanding the provisions of subsection 2, the director may provide insurance advice or services for family foster homes as defined in Title 22, section 8101, subsection 3; specialized children's homes, as defined in Title 22, section 8101, subsection 5; respite care providers as defined in Title 34-B, section 6201, subsection 2-A; the Casco Bay Island Transit District created by Private and Special Law 1981, chapter 22; the University of Maine System; the Maine Community College System; the Maine Maritime Academy; and the State's local workforce investment areas designated under the federal Workforce ~~Investment~~ Innovation and Opportunity Act of 1998, Public Law ~~405-220~~ 113-128. The director may provide insurance services for public schools as defined in Title 20-A, section 1, subsection 24 if the provisions of subsection 2 are met. Notwithstanding subsection 2, the director may provide insurance advice for public schools.

**Sec. 3. 12 MRSA §1891-A**, as enacted by PL 2007, c. 240, Pt. NN, §2, is amended to read:

**§1891-A. Participants**

The Corps shall strive to include a diversity of participants. Priority must be given to those whose family income is 150% or less of the nonfarm income official poverty line as defined by the federal Office of Management and Budget and as revised annually in accordance with the United States Omnibus Budget Reconciliation Act of 1981, Section 673, Subsection 2 and to those who are low-income individuals as defined by the federal Workforce ~~Investment Innovation and Opportunity Act of 1998~~, 29 United States Code, Section ~~2801~~ 3102. A person is not eligible if that person has left a secondary school for the purpose of participating in the Corps. Corps members may be jointly enrolled in any state or local job training program or human resource development program.

**Sec. 4. 20-A MRSA §8601-A, sub-§14, ¶C**, as amended by PL 2013, c. 167, Pt. C, §2, is further amended to read:

C. Certificate learners, who are adults participating in a sequence of courses that provide individuals with the academic and technical knowledge and skills that individuals need to prepare for further education and careers in current or emerging employment sectors, including the skills and training and work credential programs conducted under the auspices of the boards of the local workforce investment areas designated pursuant to the federal Workforce ~~Investment Innovation and Opportunity Act of 1998~~, Public Law ~~105-220~~ 113-128, and the department.

**Sec. 5. 20-A MRSA §12542, sub-§6, ¶B**, as enacted by PL 2013, c. 417, §1, is amended to read:

B. The Department of Labor shall require that publicly funded workforce development programs, including state and local workforce ~~investment~~ boards and the Competitive Skills Scholarship Program established in Title 26, section 2033, include within their plans and programs efforts to promote and increase awareness of the program.

**Sec. 6. 20-A MRSA §12704, sub-§2, ¶D**, as amended by PL 2003, c. 114, §3, is further amended to read:

D. The employment and training programs funded under the federal Workforce ~~Investment Innovation and Opportunity Act of 1998~~, Public Law ~~105-220~~ 113-128, or its successor, and overseen by the Department of Labor, Bureau of Employment Services, or its successor; and

**Sec. 7. 22 MRSA §3789-D, sub-§2, ¶F**, as amended by PL 2001, c. 667, Pt. C, §13, is further amended to read:

F. One representative of the one-stop delivery system established under the federal Workforce ~~Investment Innovation and Opportunity Act of 1998~~, 29 United States Code, Section ~~2841~~ 3151; and

**Sec. 8. 26 MRSA §1192, sub-§6-E**, as enacted by PL 1999, c. 705, §1, is amended to read:

**6-E. Prohibition against disqualification of individuals in approved training under federal Workforce Innovation and Opportunity Act.** Notwithstanding any other provision of this chapter, unless inconsistent with federal law, the acceptance of training opportunities available through the federal Workforce ~~Investment Innovation and Opportunity Act of 1998~~, 29 United States Code, Sections ~~9201-3101 to 9276~~ ~~(1998)~~ 3361 is deemed to be acceptance of training with the approval of the State within the meaning of any other provision of federal or state law relating to unemployment benefits.

**Sec. 9. 26 MRSA §1198, sub-§2, ¶J**, as enacted by PL 2013, c. 448, §3, is amended to read:

J. The eligible employer allows eligible employees to participate, as appropriate, in training, including employer-sponsored training or worker training funded under the federal Workforce ~~Investment Innovation and Opportunity Act of 1998~~, Public Law ~~105-220, 112 Stat. 936~~ 113-128, to enhance job skills if such training has been approved by the commissioner.

**Sec. 10. 26 MRSA §1401-A, sub-§2, ¶I**, as enacted by PL 2013, c. 467, §4, is amended to read:

I. The State Workforce ~~Investment~~ Board.

**Sec. 11. 26 MRSA §2001, sub-§§4 and 5**, as enacted by PL 2003, c. 114, §5, are amended to read:

**4. Local area and local board.** "Local area" and "local board" have the same meanings as provided in the Workforce ~~Investment Innovation and Opportunity Act~~.

**5. Workforce Innovation and Opportunity Act.** "Workforce ~~Investment Innovation and Opportunity Act~~" means the federal Workforce ~~Investment Innovation and Opportunity Act of 1998~~, Public Law ~~105-220~~ 113-128.

**Sec. 12. 26 MRSA §2003**, as amended by PL 2003, c. 114, §7, is further amended to read:

**§2003. Authority of commissioner**

The commissioner may enter into agreements with agencies of the Federal Government, State Government or county government as required for the purpose of implementing the Workforce ~~Investment Innovation and Opportunity Act~~.

**Sec. 13. 26 MRSA §2004-A**, as amended by PL 2011, c. 627, §§1 and 2, is further amended to read:

**§2004-A. Authority of Legislature**

The Legislature has general authority to oversee implementation of the Workforce ~~Investment~~ Innovation and Opportunity Act, including, but not limited to, authority to:

**1. Review plans.** Review plans, policies and standards proposed by a local board, the State Workforce ~~Investment~~ Board, the Governor or any other agency under the Workforce ~~Investment~~ Innovation and Opportunity Act before final approval by the responsible entity;

**2. Review evaluations.** Review the procedures and findings of evaluations of the effectiveness of the State's implementation of the Workforce ~~Investment~~ Innovation and Opportunity Act; and

**3. Receive reports.** Receive reports prepared by the State Workforce ~~Investment~~ Board, a local board, the Governor or any agency in connection with implementation of the Workforce ~~Investment~~ Innovation and Opportunity Act, including the report required by section ~~3104~~ 3101-A.

**Sec. 14. 26 MRSA §2006, sub-§1**, as amended by PL 2011, c. 627, §3, is further amended to read:

**1. Responsibilities.** The State Workforce ~~Investment~~ Board, referred to in this section as "the board," is established to ensure that the State's workforce development system helps Maine people and businesses compete successfully in the global economy. Specific responsibilities include but are not limited to:

A. Performing all of the duties and responsibilities of the state board as defined in the Workforce ~~Investment~~ Innovation and Opportunity Act, ~~29 United States Code, Section 2801, including, but not limited to, the duties and responsibilities set forth in subsection 5-D;~~

B. Recommending to the Governor a state workforce development plan designed to maximize utilization and effectiveness of state workforce development services;

C. Monitoring agency and system-wide strategic goals based on the statewide workforce development policy and strategic plan and evaluating progress toward meeting those goals;

D. Providing recommendations to the Governor and the Legislature that would improve system effectiveness and reduce system fragmentation;

E. Creating greater coordination between economic development and human resource development and education programs;

F. Ensuring a balance between rural and urban workforce development;

G. Providing policy oversight and recommendations to ensure the effectiveness of vocational programs for people with disabilities in order to support efforts that reduce barriers to employment;

H. Providing policy oversight and recommendations to ensure that self-employment, microenterprise and small business are part of the overall workforce development strategy;

I. Providing policy recommendations to ensure the effectiveness of work-related programs and services for youth, including youth with disabilities; and

J. Providing policy recommendations to ensure the effectiveness of work-related programs and services for "at-risk" youth.

**Sec. 15. 26 MRSA §2006, sub-§2**, as amended by PL 2011, c. 627, §3, is further amended to read:

**2. Membership.** The board consists of members appointed by the Governor.

B. Appointments must be consistent with the representation requirements of the Workforce ~~Investment~~ Innovation and Opportunity Act, including representatives from business and industry, organized labor, state agencies responsible for human resource programs and educational and community-based institutions.

The Governor shall ensure that the board ~~and the Program Policy Committee under subsection 7~~ have ~~has~~ sufficient expertise to effectively carry out the duties and functions of the board.

**Sec. 16. 26 MRSA §2006, sub-§4**, as amended by PL 2011, c. 627, §3, is further amended to read:

**4. Chair and vice-chair.** The Governor shall appoint a chair from the members of the board who represent business and industry and a vice-chair from the membership of the board to serve for a one-year term. The Governor may reappoint members to serve as chair or vice-chair.

**Sec. 17. 26 MRSA §2006, sub-§5-B, ¶C**, as amended by PL 2011, c. 627, §3, is further amended to read:

C. The standing committee shall submit an annual report directly to the Governor and the Legislature not later than ~~September~~ January 1st of each year concerning its work, recommendations

and interest of the previous fiscal year and future plans. The standing committee shall make any interim reports it considers advisable.

**Sec. 18. 26 MRSA §2006, sub-§5-D**, as amended by PL 2011, c. 627, §3, is further amended to read:

**5-D. Workforce development.** In addition to its other duties, the board shall perform the ~~duties~~ func-  
tions of the state board ~~under as specified in Section 101(d) in the Workforce Investment Innovation and Opportunity Act, referred to in this subsection as "the Act."~~

A. The board shall assist the Governor in:

- ~~(1) Developing and continuously improving a statewide system of activities funded under the Act or carried out through a one-stop delivery system described in Section 134(c) of the Act including review of local plans and development of linkages to ensure coordination and nonduplication among the programs and activities with required and optional partners described in Section 121(b) of the Act;~~
- ~~(2) Designating local areas as required in Section 116 of the Act;~~
- ~~(3) Developing allocation formulas for the distribution to local areas of funds for youth activities and adult employment and training activities as allowed under Sections 133(b)(3)(B) and 128(b)(3)(B) of the Act;~~
- ~~(4) Developing and continuously improving comprehensive state performance measures including state adjusted levels of performance to assess the effectiveness of the workforce investment activities of the State as required under Section 136(b) of the Act;~~
- ~~(5) Developing an application for an incentive grant under Section 503 of the Act;~~
- ~~(6) Preparing an annual report to the United States Secretary of Labor as described in Section 136(d) of the Act;~~
- ~~(7) Evaluating measures taken pursuant to Section 113(b)(14) of the federal Carl D. Perkins Vocational and Applied Technology Education Act, 20 United States Code, Section 2323(b)(14); and~~
- ~~(8) Developing the statewide statistics system described in Section 15(e) of the federal Wagner Peyser Act, 29 United States Code, Section 491-2(e).~~

B. The board has the necessary authority to carry out the purposes of this section.

C. The commissioner may appoint employees necessary to carry out the board's ~~responsibility~~ functions under this subsection.

D. The commissioner may adopt routine technical rules, in accordance with Title 5, chapter 375, subchapter 2-A necessary to carry out the board's ~~responsibility~~ functions under this subsection.

**Sec. 19. 26 MRSA §2006, sub-§7, ¶A**, as repealed and replaced by PL 2013, c. 467, §7, is amended to read:

A. The board shall create 6 standing committees. The standing committees shall make recommendations to the full board. The 6 standing committees are as follows:

- (1) Younger workers;
- (2) Commission on Disability and Employment;
- (3) Women's employment issues;
- (4) Older workers;
- (5) Veterans employment; and
- (6) The Program ~~Policy Partners~~ Partners Committee. Organizations with representation on the Program ~~Policy Partners~~ Partners Committee may include, but are not limited to, organizations that conduct programs or activities as specified in Section 121(b)(1)(B) of the Workforce ~~Investment Innovation and Opportunity~~ Act.

**Sec. 20. 26 MRSA §2007**, as enacted by PL 2003, c. 114, §14, is amended to read:

#### **§2007. Funding**

Funds received from the United States pursuant to the Workforce ~~Investment Innovation and Opportunity~~ Act must be deposited in the Employment Services Activity program account within the Department of Labor. Funds must be deposited, administered and disbursed in the same manner and under the same conditions and requirements as provided by law for other federal funds in the State Treasury. The commissioner shall ensure that management and use of the federal funds comply with the requirements of the Workforce ~~Investment Innovation and Opportunity~~ Act. Federal funds in the account do not lapse but must be carried forward to be used to implement the Workforce ~~Investment Innovation and Opportunity~~ Act.

**Sec. 21. 26 MRSA §2023, sub-§1, ¶C**, as amended by PL 2003, c. 114, §15, is further amended to read:

C. Travel payments according to the policies established by the service providers under the Workforce ~~Investment Innovation and Opportunity~~ Act;

**Sec. 22. 26 MRSA §2033, sub-§4, ¶A**, as amended by PL 2011, c. 627, §4, is further amended to read:

A. The education or training provided through the program must be for employment in industries with significant demand for skilled labor that have been:

- (1) Identified by the Center for Workforce Research and Information as providing opportunity for employment in jobs with high compensation;
- (2) Recommended by the State Workforce ~~Investment~~ Board; and
- (3) Approved by the Governor or the Governor's designee.

**Sec. 23. 26 MRSA §2171-A, sub-§1**, as enacted by PL 2003, c. 114, §19, is amended to read:

**1. Workforce Innovation and Opportunity Act.** The state program under the federal Workforce ~~Investment~~ Innovation and Opportunity Act of 1998, Public Law ~~405-220~~ 113-128; and

**Sec. 24. 26 MRSA §3101**, as enacted by PL 2001, c. 366, §1, is repealed.

**Sec. 25. 26 MRSA §3101-A** is enacted to read:

**§3101-A. Report required**

The Department of Labor by September 1st annually shall provide to the joint standing committee of the Legislature having jurisdiction over labor matters the same expenditures and outcomes report provided to the United States Department of Labor for the programs operated under the federal Workforce Innovation and Opportunity Act, Public Law 113-128, and as required by that act.

**Sec. 26. 26 MRSA §3209, sub-§1, ¶B**, as enacted by PL 2011, c. 491, §13, is amended to read:

B. Four nonvoting members of the council are appointed by their respective agencies as follows:

- (1) One representative of the ~~Maine Jobs Council~~ State Workforce Board established in section 2006, appointed by the chair of the ~~Maine Jobs Council~~ State Workforce Board;
- (2) One representative of the Maine Community College System, appointed by the President of the Maine Community College System;
- (3) One representative of the Department of Education, appointed by the Commissioner of Education; and
- (4) One representative of the Department of Economic and Community Development, ap-

pointed by the Commissioner of Economic and Community Development.

**Sec. 27. 26 MRSA §3209, sub-§4, ¶C**, as enacted by PL 2011, c. 491, §13, is amended to read:

C. Representing the Maine Apprenticeship Program to the ~~Maine Jobs Council~~ State Workforce Board established in section 2006;

**Sec. 28. 26 MRSA §3302, sub-§§3 and 4**, as enacted by PL 2013, c. 368, Pt. FFFFF, §1, are amended to read:

**3. Educational programs.** "Educational programs" means the State's elementary and secondary schools, career and technical education centers, adult education programs, the Maine Community College System, the Maine Maritime Academy and the University of Maine System and other training providers that have been approved to provide training by the Department of Labor under the federal Workforce Innovation and Opportunity Act, Public Law 113-128.

**4. High-priority occupations.** "High-priority occupations" means those occupations that have a significant presence in an industry cluster, are in demand by employers, pay a livable wage or have a documented career ladder identified on a list published annually by the Center for Workforce Research and Information pursuant to section 3303, subsection 5.

**Sec. 29. 26 MRSA §3303, sub-§1**, as enacted by PL 2013, c. 368, Pt. FFFFF, §1, is amended to read:

**1. Specific industry clusters.** The collaborative shall work with businesses, industry associations and organizations, workforce and economic development agencies, the State Workforce ~~Investment~~ Board established in section 2006 and the boards of the local workforce investment areas designated pursuant to the federal Workforce ~~Investment~~ Innovation and Opportunity Act of 1998, Public Law ~~405-220~~ 113-128 and economic development entities to define specific industry clusters based on the following criteria:

- A. Statistics showing the competitiveness of an industry cluster;
- B. Importance to the State's or a region's economic development;
- C. Identification of supply and distribution chains within an industry;
- D. Research studies on industry clusters; and
- E. Existing industry partnerships such as those of the health care workforce and associations of manufacturers.

**Sec. 30. 26 MRSA §3303, sub-§5**, as enacted by PL 2013, c. 368, Pt. FFFFF, §1, is amended to read:

**5. High-priority occupations list.** The ~~collaborative~~ Center for Workforce Research and Information

~~annually shall develop and make available to the public on a yearly basis publish a list of statewide and regional high-priority occupations critical to the success of the targeted industry clusters, which are those occupations that have been:~~

A. Identified by the Center for Workforce Research and Information as providing opportunity for employment in jobs with high compensation;

B. Recommended by the State Workforce Board; and

C. Approved by the Governor or the Governor's designee.

**Sec. 31. 26 MRSA §3304, sub-§1, ¶G,** as enacted by PL 2013, c. 368, Pt. FFFFF, §1, is amended to read:

G. Inform and collaborate with the career and technical education centers, the boards of the local workforce investment areas designated pursuant to the federal Workforce ~~Investment~~ Innovation and Opportunity Act of 1998, Public Law ~~405-220~~ 113-128, youth councils, business-education partnerships, secondary and postsecondary educational institutions, parents and career counselors for the purpose of addressing the challenges of connecting disadvantaged adults and youth to careers;

**Sec. 32. 26 MRSA §3304, sub-§2, ¶B,** as enacted by PL 2013, c. 368, Pt. FFFFF, §1, is amended to read:

B. Create an industry partnership to advise the collaborative, the State Workforce ~~Investment~~ Board established in section 2006 and the boards of the local workforce investment areas designated pursuant to the federal Workforce ~~Investment~~ Innovation and Opportunity Act of 1998, Public Law ~~405-220~~ 113-128 on aligning state policies and leveraging resources across systems, including workforce development, education and economic development;

**Sec. 33. 26 MRSA §3305, sub-§2, ¶D,** as amended by PL 2015, c. 156, §1, is further amended to read:

D. A procedure for establishing eligibility requirements. At a minimum, this procedure must include the following:

- (1) Involvement of the local workforce ~~investment~~ board;
- (2) Participation of at least 4 employers, with at least 2 employers representing businesses with fewer than 50 employees;
- (3) Participation of employees and, where applicable, labor representatives;

(4) Private sector matching funding of at least 25%, except that businesses with fewer than 25 employees may be exempted from this matching funding requirement at the discretion of the collaborative; and

(5) Commitment to participate in the performance improvement and evaluation system established pursuant to section 3307.

**Sec. 34. 35-A MRSA §10104, sub-§9,** as amended by PL 2011, c. 627, §5, is further amended to read:

**9. Coordination with other entities.** Consistent with the requirements of this chapter and other applicable laws, the board shall coordinate with the activities and programs of state agencies and authorities that relate to the purposes of this chapter in order to align such activities and programs with the plans and programs of the trust. For purposes of this subsection, activities and programs of state agencies and authorities that relate to the purposes of this chapter include but are not limited to energy efficiency programs relating to state facilities administered by the Department of Administrative and Financial Services, Bureau of General Services, the adoption, amendment and maintenance of the Maine Uniform Building and Energy Code by the Technical Building Codes and Standards Board, established in Title 5, section 12004-G, subsection 5-A within the Department of Public Safety, energy efficiency or green energy workforce development activities of the Department of Labor or the State Workforce ~~Investment~~ Board and energy efficiency and weatherization programs ~~administered~~ administered by the Maine State Housing Authority.

**Sec. 35. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 26, chapter 35, in the chapter headnote, the words "federal workforce investment act of 1998" are amended to read "federal workforce innovation and opportunity act" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

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## CHAPTER 111

### S.P. 470 - L.D. 1362

#### An Act To Update the Operations of the Bureau of Rehabilitation Services and To Conform to the Federal Workforce Innovation and Opportunity Act of 2014

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

**Sec. 1. 26 MRSA §1411-A, sub-§1**, as enacted by PL 1995, c. 560, Pt. F, §13, is repealed and the following enacted in its place:

**1. Community rehabilitation program.**

"Community rehabilitation program" means a program that provides directly or facilitates the provision of one or more of the following vocational rehabilitation services to individuals with disabilities to enable those individuals to maximize opportunities for employment, including career advancement:

A. Medical, psychiatric, psychological, social and vocational services under one management;

B. Testing, fitting or training in the use of prosthetic or orthotic devices;

C. Recreational therapy;

D. Physical and occupational therapy;

E. Speech, language and hearing therapy;

F. Psychiatric, psychological and social services, including positive behavior management;

J. Job development, placement and retention services;

K. Supported employment services and extended services;

L. Extended employment for people with severe disabilities who cannot readily enter the competitive labor market;

M. Evaluation or control of specific disabilities;

N. Rehabilitation technology services;

O. Assessment for determining program eligibility and vocational rehabilitation needs;

P. Orientation and mobility services for individuals who are blind or visually impaired;

Q. Psychosocial rehabilitation services;

R. Customized employment;

S. Services to family members, if necessary, to enable an applicant or eligible individual to achieve an employment outcome; and

T. Personal assistance services.

**Sec. 2. 26 MRSA §1411-A, sub-§1-A** is enacted to read:

**1-A. Competitive integrated employment.**

"Competitive integrated employment" means work that is compensated at or above the state or local minimum wage; is not compensated at less than the customary rate and level of benefits paid by the employer for the same or similar work performed by other employees without disabilities who have similar training, experience and skills; takes place in such a way that the employee with the disability interacts

with other persons without disabilities to the same extent as employees without disabilities in comparable positions; and presents opportunities for advancement similar to those opportunities available for other employees without disabilities in similar positions.

**Sec. 3. 26 MRSA §1411-A, sub-§2**, as enacted by PL 1995, c. 560, Pt. F, §13, is repealed.

**Sec. 4. 26 MRSA §1411-A, sub-§3, ¶A**, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

A. A preliminary diagnostic study to determine that the individual ~~is disadvantaged~~ or has a disability-related barrier to employment and that services are needed;

**Sec. 5. 26 MRSA §1411-A, sub-§3, ¶D**, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

D. Any other goods or services provided to a ~~disadvantaged~~ individual with a disability that are determined in accordance with federal regulations to be necessary for, and are provided for the purpose of, ascertaining the nature of the barrier to employment and whether it may reasonably be expected that the individual can benefit from vocational rehabilitation services or other services available to ~~disadvantaged~~ individuals with disabilities;

**Sec. 6. 26 MRSA §1411-A, sub-§4**, as amended by PL 2015, c. 141, §5, is repealed.

**Sec. 7. 26 MRSA §1411-A, sub-§5**, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

**5. Person with a disability.** "Person with a disability" means an individual who has a physical or mental disability that constitutes a substantial barrier to employment but ~~is of such a nature that who can benefit in terms of an employment outcome from the provision of vocational rehabilitation services may reasonably be expected to render the individual fit to engage in gainful employment that is consistent with the individual's capacities and abilities.~~ "Person with a disability" also means an individual who has a physical or mental disability that constitutes a substantial barrier to employment and for whom vocational rehabilitation services are necessary to determine rehabilitation potential. An "individual who ~~is under~~ has a physical or mental disability" means an individual who has a physical or mental condition that materially limits, contributes to limiting or, if not corrected, results in limiting that individual's activities or functions.

**Sec. 8. 26 MRSA §1411-A, sub-§6**, as amended by PL 2015, c. 141, §6, is further amended to read:

**6. Rehabilitation services.** "Rehabilitation services," which may be provided directly or through public or private resources, means goods and services necessary to assist a person with a disability to engage in ~~a gainful occupation~~ competitive integrated employment or to determine the individual's rehabilitation potential, including but not limited to vocational rehabilitation services. Vocational rehabilitation services available to people with disabilities include:

A. Evaluation, including diagnostic and related services, incidental to the determination of eligibility for and the nature and scope of services to be provided;

B. Counseling, guidance and placement services for people with disabilities, including follow-up services to assist those individuals to maintain employment;

C. Training services for people with disabilities, which may include personal and vocational adjustment, on-the-job training ~~and~~ books, tools and other training materials;

D. Interpreting and other specific services necessary to meet the unique needs of those persons who are deaf or who have impaired hearing. These services must include the aid of qualified personnel and interpreters who can relate to and communicate on an effective and meaningful basis with persons who are deaf or have impaired hearing;

E. Recruitment and training services for people with disabilities to provide them with suitable employment opportunities;

F. Physical restoration services, including but not limited to:

(1) Corrective surgery or therapeutic treatment necessary to correct or substantially modify a physical or mental condition that is stable or slowly progressive and constitutes a substantial barrier to employment but is of such a nature that correction or modification may reasonably be expected to eliminate or substantially reduce the barrier within a reasonable length of time;

(2) Necessary hospitalization in connection with surgery or treatment;

(3) Prosthetic and orthotic devices; and

(4) ~~Eye glasses~~ Eye glasses and visual services as prescribed by a physician skilled in the diseases of the eye or by an optometrist;

G. Maintenance as necessary during rehabilitation, as established by the rules of the department;

H. Occupational licenses, tools, equipment and initial stocks and supplies;

I. In the case of a small business operated by people with ~~severe~~ significant disabilities, the operation of which can be improved by management services and supervision provided by the department, the provision of those services and that supervision, alone or together with the acquisition by the department of vending stands or other equipment and initial stocks and supplies;

J. The construction or establishment, in accordance with federal regulations, of public or other nonprofit community rehabilitation programs and the provision of other facilities and services that may contribute substantially to the rehabilitation of a group of individuals but are not related directly to the rehabilitation plan of any one person with a disability;

K. Transportation in connection with the rendering of any other rehabilitation service;

L. Any other goods and services necessary to render a person with a disability employable; ~~and~~

M. Services to the families of people with disabilities when the services will contribute substantially to the rehabilitation of the individuals;

N. Services for students and youth with disabilities to facilitate transition from school to postsecondary life, such as achievement of a competitive integrated employment outcome;

O. Preemployment transition services to students with disabilities in a secondary, postsecondary or other recognized education program, including job exploration counseling; work-based learning experiences; counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs; workplace readiness training; and self-advocacy instruction;

P. Reader services, rehabilitation teaching services, and orientation and mobility services for individuals who are blind or visually impaired; and

Q. Rehabilitation technology services to systematically apply technologies, engineering methodologies or scientific principles to address barriers confronted by individuals with disabilities.

**Sec. 9. 26 MRSA §1411-D**, as amended by PL 2015, c. 141, §§8 and 9, is further amended to read:

**§1411-D. Powers and duties of department**

In carrying out this article, the commissioner:

**1. Cooperates with other departments.** Shall cooperate with other departments, agencies and institutions, both public and private, in providing for the rehabilitation of people with disabilities ~~and the evaluation and vocational services of disadvantaged individuals~~, in studying the problems involved and in

establishing, developing and providing, in conformity with the purposes of this article, programs, facilities and services necessary or desirable;

**2. Reciprocal agreements with other states.** May enter into reciprocal agreements with other states to provide for the rehabilitation of people with disabilities ~~and disadvantaged individuals~~ who are residents of the states concerned;

**3. Community rehabilitation programs.** May establish, construct and operate community rehabilitation programs and make grants to public or other non-profit organizations for those purposes;

**4. Vending stands and other businesses.** May supervise the operation of vending stands and other small businesses established pursuant to this article to be conducted by people with ~~severe~~ significant disabilities;

**5. Research fellowships and traineeships.** May make studies, investigations, demonstrations and reports and provide training and instruction, including the establishment and maintenance of research fellowships and traineeships, with stipends and allowances as determined necessary, in matters relating to rehabilitation;

**6. Joint project.** May share funding and administrative responsibility with another state agency in order to carry out a joint project to provide services to people with disabilities;

**7. Joint undertakings.** May enter into joint undertakings with public and private agencies to further the effectiveness of services for ~~disadvantaged individuals~~ people with disabilities;

**8. Eligibility and priority.** Through the Bureau of Rehabilitation Services, Division of Vocational Rehabilitation and Division for the Blind and Visually Impaired, which are the designated state units under the federal Rehabilitation Act of 1973 and the federal Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, shall determine the eligibility of individuals for rehabilitation services or evaluation and vocational services and the priority for those services in accordance with rules established by the department; and

**9. Transitional services coordination.** Through the Bureau of Rehabilitation Services, Division of Vocational Rehabilitation and Division for the Blind and Visually Impaired, which are the designated state units under the federal Rehabilitation Act of 1973 and the federal Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, shall participate with school administrative units in transition planning for each student receiving special education services who is 16 years of age or older, or 14 years of age if determined appropriate by the student's individualized education program team, and shall assign appropriate staff

as a transition contact person and as a member of the transition planning team for each student.

**Sec. 10. 26 MRSA §1412-B**, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

**§1412-B. Reporting and evaluation of rehabilitation needs**

The department shall ~~make continuing study of evaluate~~ the needs of people with disabilities ~~and disadvantaged individuals~~ in the State and how these needs may be met most effectively. ~~The study and planning must include appraisal~~ As required by the federal Rehabilitation Act of 1973 and the federal Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, the department shall conduct a comprehensive statewide assessment every 3 years to describe the rehabilitation needs of individuals with disabilities residing in the State, including a review of community rehabilitation programs in the State and their effectiveness and adequacy in meeting the overall needs of people with disabilities and disadvantaged. The continuing study and recommendations must be reflected in the biennial reports of the commissioner. The commissioner shall use the results of these reviews to advise the Governor and the Legislature of any need to change the State's rehabilitation programs. The commissioner shall report annually to the joint standing committee of the Legislature having jurisdiction over labor matters the program outcomes as part of the reports authorized under section 2004-A, subsection 3 and required under section 3101.

**Sec. 11. 26 MRSA §1414, sub-§1**, as enacted by PL 1995, c. 560, Pt. F, §13, is amended to read:

**1. Independent living services.** "Independent living services" means services that promote or train people with ~~severe~~ significant disabilities in managing their personal affairs, participating in day-to-day life in the community, fulfilling a range of social roles and making decisions that lead to self-determination and the minimization of physical or psychological dependence on others.

**Sec. 12. 26 MRSA c. 19, sub-c. 2, art. 4**, as amended, is repealed.

See title page for effective date.

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**CHAPTER 112**

**S.P. 472 - L.D. 1385**

**An Act Governing Direct  
Primary Care Service  
Agreements**

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

**Sec. 1. 22 MRSA c. 403-A** is enacted to read:

**CHAPTER 403-A****DIRECT PRIMARY CARE SERVICE AGREEMENTS****§1771. Direct primary care service agreements**

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

A. "Direct primary care service agreement" means a contractual agreement between a direct primary care provider and an individual patient, or the patient's legal representative, in which:

(1) The direct primary care provider agrees to provide primary care services to the individual patient for an agreed-to fee over an agreed-to period of time; and

(2) The direct primary care provider agrees not to bill 3rd parties on a fee-for-service or capitated basis for services already covered in the direct primary care service agreement.

B. "Direct primary care provider" means an individual who is a licensed physician or osteopathic physician or other advanced health care practitioner who is authorized to engage in independent medical practice in this State, who is qualified to provide primary care services and who chooses to practice direct primary care by entering into a direct primary care service agreement with patients. The term includes, but is not limited to, an individual primary care provider or a group of primary care providers.

C. "Primary care" means outpatient, nonspecialty health care services or the coordination of health care for the purpose of:

(1) Promoting or maintaining mental and physical health and wellness; and

(2) The diagnosis, treatment or management of acute or chronic conditions caused by disease, injury or illness.

**2. Not insurance.** A direct primary care service agreement is not an insurance policy and is not subject to regulation by the Department of Professional and Financial Regulation, Bureau of Insurance.

**3. Ability to contract.** A direct primary care service agreement is an agreement between the direct primary care provider and either an individual or the individual's representative, regardless of whether the periodic fee or other fees are paid by the individual, the individual's representative or a 3rd party.

**4. Covered services.** A direct primary care service agreement covers only the services specified in the agreement. Any goods or services that are not covered by the direct primary care service agreement may be billed separately.

**5. Disclosure.** A direct primary care service agreement must clearly state within the agreement that direct primary care services are not considered health insurance and do not meet requirements of any federal law mandating individuals to purchase health insurance and that the fees charged in the agreement may not be reimbursed or apply towards a deductible under a health insurance policy with an insurer.

**6. Other care not prohibited.** A primary care provider is considered a direct primary care provider only when the provider is engaged in a direct primary care service agreement with a patient or group of patients. A primary care provider is not prohibited from providing care to other patients under a separate agreement or contract with an insurer.

**7. Other agreements not prohibited.** This section does not prohibit a direct primary care provider from entering into:

A. An agreement with an insurer offering a policy specifically designed to supplement a direct primary care service agreement; or

B. A pilot program for direct primary care with a federal or state agency that provides health coverage.

See title page for effective date.

**CHAPTER 113****S.P. 487 - L.D. 1409****An Act To Reduce Regulations for Small Nonalcoholic Beverage Producers**

**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 removes a statutory barrier that currently prevents entrepreneurs from opening new nonalcoholic beverage manufacturing and bottling businesses in the State, which causes Maine to lose the economic benefit that these new businesses can provide; 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. 32 MRSA §1751, sub-§4-A** is enacted to read:

**4-A. Small beverage producer.** "Small beverage producer" means a person or beverage plant that manufactures or bottles no more than 10,000 gallons of beverages a year.

**Sec. 2. 32 MRSA §1852** is amended to read:

**§1852. Plant requirements**

Every beverage plant used for the preparation, manufacture and bottling of any beverage ~~shall~~ must be adequately lighted and ventilated and all floors ~~shall~~ must be constructed of cement, concrete or tile laid in cement or other material impervious to water, and ~~shall~~ must have sufficient pitch to ~~insure~~ ensure drainage; walls and ceilings ~~shall~~ must be varnished or painted in light color and kept clean; doors, windows and other openings of any room in which beverages or the ingredients of such beverages ~~shall be~~ are prepared ~~shall~~ must be screened. Wash basins, sinks and toilets ~~shall~~ must be provided for employees. ~~No~~ A toilet ~~shall~~ may not open directly into any room used for the preparation or bottling of any beverage. The syrup room ~~shall~~ must be separately enclosed, well ventilated and lighted, provided with sinks and taps for hot and cold water, thoroughly protected against vermin, flies, dirt and dust and so constructed as to be easily cleaned.

~~Every~~ Except for a small beverage producer, every beverage plant ~~shall~~ must be equipped with mechanical container-washing apparatus and machinery, and with mechanical and sanitary machines for bottling and for carbonating, if carbonated beverages are manufactured. A small beverage producer may wash and fill glass beverage containers by hand and carbonate beverages by hand if all other requirements of this section are met.

All machines, apparatus, vessels, fountains, tanks or other equipment, caps and ingredients used in the manufacture of beverages ~~shall~~ must be kept in a sanitary condition. No vessels or tanks ~~shall~~ must be used for syrup mixing or for storing such mixed syrup unless they are of glass or stainless steel, porcelain lined, block tin lined or made of some other suitable impervious material.

Beverage plants ~~shall~~ must be located in buildings so constructed that the bottling operation is performed in separate rooms, but such construction ~~shall~~ must allow for modern practices in the loading or unloading of trucks in the same rooms, and for modern practices in the use of conveyor systems or other means of mechanical handling.

**Sec. 3. 32 MRSA §1854**, as amended by PL 1977, c. 696, §242; PL 1979, c. 731, §19; and PL 2011, c. 657, Pt. W, §6, is further amended to read:

**§1854. Cleaning of containers**

All reusable glass containers used in the manufacture of beverages ~~shall~~ must, before being filled or

refilled, be thoroughly cleaned and sanitized by washing ~~in an automatic washing machine~~ in a solution of not less than 3% caustic alkali; at a temperature not lower than 110° Fahrenheit to be followed by a rinsing in potable water. All other reusable and all single service containers ~~shall~~ must be cleaned and sanitized before being filled or refilled by suitable means approved by the Commissioner of Agriculture, Conservation and Forestry.

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

Effective June 1, 2017.

**CHAPTER 114**

**H.P. 1001 - L.D. 1449**

**An Act To Support Maine  
Military Charities**

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

**Sec. 1. 37-B MRSA §3, sub-§1, ¶D**, as amended by PL 2015, c. 465, Pt. A, §1, is further amended to read:

D. Have the following powers and duties.

- (1) The Adjutant General shall administer the department subordinate only to the Governor.
- (2) The Adjutant General shall establish methods of administration consistent with the law necessary for the efficient operation of the department.
- (3) The Adjutant General may prepare a budget for the department.
- (4) The Adjutant General may transfer personnel from one bureau to another within the department.
- (5) The Adjutant General shall supervise the preparation of all state informational reports required by the federal military establishment.
- (6) The Adjutant General shall keep an accurate account of expenses incurred and, in accordance with Title 5, sections 43 to 46, make a full report to the Governor as to the condition of the military forces, and as to all business transactions of the Military Bureau, including detailed statements of expenditures for military purposes.
- (7) The Adjutant General is responsible for the custody, care and repair of all military property belonging to or issued to the State

for the military forces and shall dispose of military property belonging to the State that is unserviceable. The Adjutant General shall account for and deposit the proceeds from that disposal with the Treasurer of State, who shall credit them to the Capital Repair, Maintenance, Construction and Acquisition Account of the Military Bureau.

(8) The Adjutant General may sell for cash to officers of the state military forces, for their official use, and to organizations of the state military forces, any military or naval property that is the property of the State. The Adjutant General shall, with an annual report, render to the Governor an accurate account of the sales and deposit the proceeds of the sales with the Treasurer of State, who shall credit them to the General Fund.

(9) The Adjutant General shall represent the state military forces for the purpose of establishing the relationship between the federal military establishment and the various state military staff departments.

(10) The Adjutant General shall accept, receive and administer federal funds for and on behalf of the State that are available for military purposes or that would further the intent and specific purposes of this chapter and chapter 3. The Adjutant General shall provide the personnel, supplies, services and matching funds required by a federal cost-sharing arrangement pursuant to 31 United States Code, Chapters 63 and 65 (2013); 32 United States Code (2013); and National Guard Regulation 5-1 (2010). The Adjutant General shall receive funds and property and an accounting for all expenditures and property acquired through such a federal cost-sharing arrangement and make returns and reports concerning those expenditures and that property as required by such a federal cost-sharing arrangement.

(11) The Adjutant General shall acquire, construct, operate and maintain military facilities necessary to comply with this Title and Title 32 of the United States Code and shall operate and maintain facilities now within or hereafter coming within the jurisdiction of the Military Bureau.

(12) The Adjutant General may adopt rules pertaining to compliance with state and federal contracting requirements, subject to Title 5, chapter 375. Those rules must provide for approval of contracts by the appropriate state agency.

(13) The Adjutant General shall allocate and supervise any funds made available by the Legislature to the Civil Air Patrol.

(14) The Adjutant General shall report at the beginning of each biennium to the joint standing committee of the Legislature having jurisdiction over veterans' affairs on any recommended changes or modifications to the laws governing veterans' affairs, particularly as those changes or modifications relate to changes in federal veterans' laws. The report must include information on the status of communications with the United States Department of Veterans Affairs regarding the potential health risks to and the potential disabilities of veterans who as members of the Maine National Guard were exposed to environmental hazards at the Canadian military support base in Gagetown, New Brunswick, Canada.

(15) The Adjutant General may receive personal property from the United States Department of Defense that the Secretary of Defense has determined is suitable for use by agencies in law enforcement activities, including counter-drug activities, and in excess of the needs of the Department of Defense pursuant to 10 United States Code, Section 2576a, and transfer ownership of that personal property to state, county and municipal law enforcement agencies notwithstanding any other provision of law. The Adjutant General may receive excess personal property from the United States Department of Defense for use by the department, notwithstanding any other provision of law.

(16) The Adjutant General may establish a science, mathematics and technology education improvement program for schoolchildren known as the STARBASE Program. The Adjutant General may accept financial assistance and in-kind assistance, advances, grants, gifts, contributions and other forms of financial assistance from the Federal Government or other public body or from other sources, public or private, to implement the STARBASE Program. The Adjutant General may employ a director and other employees, permanent or temporary, to operate the STARBASE Program.

(17) The Adjutant General shall establish a system, to be administered by the Director of the Bureau of Maine Veterans' Services, to express formally condolence and appreciation to the closest surviving family members of members of the United States Armed Forces who, since September 11, 2001, are killed in

action or die as a consequence of injuries that result in the award of a Purple Heart medal. In accordance with the existing criteria of the department for the awarding of gold star medals, this system must provide for the Adjutant General to issue up to 3 gold star medals to family members who reside in the State, one to the spouse of the deceased service member and one to the parents of the service member. If the parents of the service member are divorced, the Adjutant General may issue one medal to each parent. If the service member has no surviving spouse or parents or if they live outside of the State, the Adjutant General may issue a gold star medal to the service member's next of kin, as reported to the department, who resides in the State.

(18) The Adjutant General may establish a National Guard Youth Challenge Program consistent with 32 United States Code, Section 509 (1990). The Adjutant General may accept financial assistance from the Federal Government or other public body or from other sources, public and private, to implement the National Guard Youth Challenge Program. The Adjutant General may employ a director and other employees, permanent or temporary, to operate the program.

(19) The Adjutant General may execute cooperative agreements for purposes described or defined by this Title and other arrangements necessary to operate the department.

(20) The Adjutant General shall act as the Governor's homeland security advisor.

(21) The Adjutant General shall implement a program to identify residents of the State who are not considered veterans but are military retirees or former members of the Maine Army National Guard or Maine Air National Guard who successfully completed service.

(22) The Adjutant General may provide logistical and administrative support to military welfare societies as defined in 10 United States Code, Section 1033(b)(2) in the performance of their functions and to state military welfare societies as defined in section 101-A, subsection 3 in the performance of their functions to provide relief directly to members of the Maine National Guard and the Maine Air National Guard and to facilitate the distribution of emergency financial relief in accordance with section 158.

**Sec. 2. 37-B MRSA §101-A, sub-§3** is enacted to read:

**3. State military welfare society.** "State military welfare society" means a nonprofit agency composed primarily of serving or former Maine Army National Guard or Maine Air National Guard members established to solicit and accept donations for the purpose of providing emergency financial relief to members of the state military forces. A state military welfare society may be the same organization as a military welfare society as defined in 10 United States Code, Section 1033(b)(2).

**Sec. 3. 37-B MRSA §158**, as amended by PL 2015, c. 437, §3, is further amended to read:

**§158. Maine Military Family Relief Fund**

The Maine Military Family Relief Fund, referred to in this section as "the fund," is established as a nonlapsing fund in the department administered according to rules adopted by the Adjutant General. The funds deposited in the fund include, but are not limited to, fines imposed by the court on any person convicted under Title 17-A, section 354, subsection 2, paragraph A of theft by deception due to that person's intentional creation or reinforcement of a false impression that the person is a veteran or a member of the Armed Forces of the United States or a state military force. The Adjutant General is authorized to award loans and grants from the fund for emergencies and other special needs to members or families of members of the Maine National Guard or residents of the State who are members or families of members of the Reserves of the Armed Forces of the United States and to distribute funds to a statewide nonprofit organization established for the purpose of providing assistance to members or families of members of the Maine National Guard or residents of the State who are members or families of members of the Reserves of the Armed Forces of the United States. The Adjutant General is authorized to distribute money from the fund to state military welfare societies that the Adjutant General has designated in accordance with section 3, subsection 1, paragraph D, subparagraph (22) for the purpose of providing emergency relief to members of the state military forces and their families in accordance with this section and rules adopted in accordance with this section. The Adjutant General shall require that funds distributed to a designated military welfare society must be segregated from all other funds administered by the society and shall require regular reports on how the society distributed the funds. The Military Bureau shall adopt rules establishing eligibility criteria for the loans and grants. 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 115**  
**H.P. 1025 - L.D. 1486**

**An Act To Clarify the Status of  
the Financial Industry  
Regulatory Authority and the  
National Association of  
Registered Agents and Brokers  
under the Maine Insurance  
Code**

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

**Sec. 1. 24-A MRSA §216, sub-§5**, as repealed and replaced by PL 2013, c. 238, Pt. A, §1 and affected by §34, is amended to read:

5. In order to assist the superintendent in the regulation of insurers in this State, it is the duty of the superintendent to maintain as confidential a document or information received from the National Association of Insurance Commissioners or International Association of Insurance Supervisors, public officials of other jurisdictions and members of supervisory colleges in which the superintendent participates pursuant to section 222, subsection 7-B, agencies of the Federal Government, the Financial Industry Regulatory Authority, the National Association of Registered Agents and Brokers or political subdivisions or other agencies of this State, if the document or the information has been provided to the superintendent with notice that it is confidential under the laws of the jurisdiction that is the source of the document or information.

A. Any information furnished pursuant to this subsection by or to the superintendent that has been designated confidential by the official, agency or other entity furnishing the information remains the property of the agency furnishing the information and must be held as confidential by the recipient of the information, except as authorized by the official, agency or other entity furnishing the information to the superintendent, with prior notice to interested parties and consistent with other applicable laws. The authority of the superintendent, pursuant to paragraph B, to permit further disclosure to a 3rd party or to the public of information shared by the superintendent is subject to the same requirements and conditions that apply if the superintendent discloses the information directly to a 3rd party or to the public.

B. The superintendent may share information, including otherwise confidential information, with the National Association of Insurance Commissioners or International Association of Insurance Supervisors, public officials of other jurisdictions and members of supervisory colleges in which the superintendent participates pursuant to section 222, subsection 7-B, agencies of the Federal Gov-

ernment, the Financial Industry Regulatory Authority, the National Association of Registered Agents and Brokers or political subdivisions or other agencies of this State, if the recipient of the information agrees to maintain the same level of confidentiality as is available under Maine law and has demonstrated that it has the legal authority to do so.

C. The superintendent may enter into one or more written agreements with the National Association of Insurance Commissioners governing sharing and using information under this subsection that:

(1) Specify procedures and protocols regarding the confidentiality and security of information shared with the National Association of Insurance Commissioners and its affiliates and subsidiaries pursuant to this paragraph, including procedures and protocols for sharing by the National Association of Insurance Commissioners with other state, federal or international insurance regulators;

(2) Specify that ownership of information shared with the National Association of Insurance Commissioners and its affiliates and subsidiaries pursuant to this paragraph remains with the superintendent and that the use of information by the National Association of Insurance Commissioners is subject to the direction of the superintendent;

(3) Require prompt notice to be given by the National Association of Insurance Commissioners to any insurer whose confidential information is in the possession of the National Association of Insurance Commissioners pursuant to this paragraph when that information is the subject of a request or subpoena for disclosure or production; and

(4) Require the National Association of Insurance Commissioners and its affiliates and subsidiaries to consent to intervention by an insurer in any judicial or administrative action in which the National Association of Insurance Commissioners and its affiliates and subsidiaries may be required to disclose confidential information about the insurer shared with the National Association of Insurance Commissioners and its affiliates and subsidiaries pursuant to this paragraph.

D. This subsection does not alter prohibitions or restrictions applicable to ex parte contacts in the course of an adjudicatory proceeding in which a state agency is a party.

E. For purposes of this subsection, "other agencies of this State" includes bureau personnel and consultants designated as serving in an advocacy

capacity in an adjudicatory proceeding before the superintendent.

**Sec. 2. 24-A MRSA §601, sub-§5, ¶E**, as corrected by RR 2003, c. 1, §20, is amended to read:

E. Issuance fee for original nonresident producer license or for a nonresident producer acting pursuant to a national nonresident producer license issued through the National Association of Registered Agents and Brokers \$70;

Appointment of such producer, each insurer, health maintenance organization, fraternal benefit society, nonprofit hospital or medical service organization, viatical settlement provider or risk retention group \$70;

Biennial fee for appointment, each insurer, health maintenance organization, fraternal benefit society, nonprofit hospital or medical service organization, viatical settlement provider or risk retention group \$70;

**Sec. 3. 24-A MRSA §1420-M, sub-§1**, as enacted by PL 2001, c. 259, §24, is amended to read:

**1. Appointment.** An insurance producer, including a nonresident producer acting pursuant to a national nonresident producer license issued through the National Association of Registered Agents and Brokers, may not act as an agent of an insurer unless the insurance producer becomes an appointed agent of that insurer. An insurance producer who is not acting as an agent of an insurer is not required to become appointed.

See title page for effective date.

**CHAPTER 116**

**H.P. 1031 - L.D. 1498**

**An Act To Clarify the Applicability of the Records Preservation Surcharge within County Registries of Deeds**

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

**Sec. 1. 33 MRSA §752, sub-§1**, as enacted by PL 1997, c. 503, §1, is amended to read:

**1. Surcharge.** In addition to any other fees required by law, a register of deeds may collect a surcharge of \$3 per document for all records that are recorded in the registry of deeds, except those recorded by agencies of State Government, including quasi-independent state entities as defined in Title 5, section 12021, subsection 5, and municipalities.

See title page for effective date.

**CHAPTER 117**

**S.P. 536 - L.D. 1530**

**An Act To Amend the Laws Governing Unemployment Compensation**

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

**Sec. 1. 26 MRSA §1043, sub-§2**, as amended by PL 1999, c. 555, §1, is further amended to read:

**2. Annual payroll.** "Annual payroll" means the total amount of wages paid by an employer during a calendar year, not meaning, however, to include that part of individual wages or salaries in excess of ~~\$3,000 in any calendar year through 1971, \$4,200 in any calendar year through 1977, \$6,000 in any calendar year through 1982, \$7,000 in any calendar year through 1999~~ and \$12,000 in any subsequent calendar year.

**Sec. 2. 26 MRSA §1043, sub-§11, ¶F**, as repealed and replaced by PL 2011, c. 691, Pt. A, §27, is 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 the federal Internal Revenue Code, Section 3304, 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;

(5) Service performed by an individual who is an alien 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);

(6) Domestic service in a private home, except as provided in paragraph A-3;

(7) Service performed by an individual in the employ of that individual's son, daughter or spouse and service performed by a child under 18 years of age in the employ of that child's father or mother, except for periods of such service for which unemployment insurance contributions are paid;

(8) Service 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 federal Railroad Unemployment Insurance Act, 52 Stat. 1094 (1938);

(10) Service 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 Sec-

tion 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 the federal Internal Revenue Code, Section 501(a) other than an organization described in the federal Internal Revenue Code, Section 401(a), or under Section 521, if the remuneration for such service is less than \$150;

(12) Service performed in the employ of a foreign government, including service as a consular or other officer or employee or a nondiplomatic representative;

(13) 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;

(14) 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-year course in a medical school chartered or approved pursuant to state law;

(15) 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 performed by that individual for that person is performed for remuneration solely by way of commission;

(16) Service performed by an individual under 18 years of age in the delivery or distribution of newspapers or shopping news, except delivery or distribution to any point for subsequent delivery or distribution;

(17) 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 26 United States Code, 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 disability 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 with intellectual or developmental disabilities who are employed in capacities meeting the conditions set forth in section 666;~~

(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) Service is 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~~ 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 policy-making or advisory position or a policy-making 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;

(18) Service performed under a booth rental agreement or other rental agreement by:

(a) A hairdresser who holds a booth license and operates within another hair-dressing establishment; or

(b) A tattoo artist if the service performed by the tattoo artist is not subject to federal unemployment tax;

(19) Service performed by a barber who holds a booth license and operates within another barbering establishment if operated un-

der a booth rental agreement or other rental agreement;

(20) Service 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;

(21) After December 31, 1981, service 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 Tax Act, 26 United States Code, Section 3306(c), as amended. Also included in this exemption are services performed in harvesting shellfish for depuration from designated areas as authorized by Title 12, section 6856;

(22) Service 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, if the leader or agent is not an employer by reason of subsection 9 or of section 1222, subsection 3;

(23) Service 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;

(24) Service performed by a homemaker in the knitted outerwear industry as those terms are defined, on September 19, 1985, in 29 Code of Federal Regulations, Part 530, Section 530.1;

(25) Service performed by a full-time student, as defined in subsection 30, in the employ of a 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;

(26) Service performed by an individual as a home stitcher as long as that employment is not subject to federal unemployment tax;

(27) Service 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;

(28) Service performed by a direct seller as defined in 26 United States Code, Section 3508(b)(2). This subparagraph does not include a person selling major improvements or renovations to the structure of a home, business or property;

(29) Service 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;

(30) Service 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;

(31) Service 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.;

(32) Service 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;

(33) Service 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, Section 390.5 (2000), as long as that employment is not subject to federal unemployment tax; ~~and~~

(34) Service performed by a professional investigator, as defined in Title 32, section 8103, subsection 5, as long as that employment is not subject to federal unemployment tax and the following requirements are met:

- (a) There is a written contract between the professional investigator and the party requesting services;
- (b) The professional investigator offering the services operates independently of the party requesting services, except for the time frame and quality of finished work as specified in the contract;
- (c) Compensation for services is negotiated between the 2 parties and is paid for each service performed; and
- (d) The party requesting services furnishes neither equipment nor the place of employment to the professional investigator; ~~and~~

(35) Service performed by an individual who volunteers for an employer or governmental entity if the volunteer:

- (a) Performs hours of service for the employer or governmental entity for civic, charitable or humanitarian reasons, without promise, expectation or receipt of compensation for services rendered. Although a volunteer may receive no compensation, a volunteer may be paid expenses, reasonable benefits or a nominal fee to perform such services;
- (b) Offers services freely and without pressure or coercion, direct or implied, from an employer; and
- (c) Is not otherwise employed by the same employer or governmental entity to perform the same type of services as those for which the individual proposes to volunteer.

For purposes of this subparagraph, "governmental entity" has the same meaning as in section 1221, subsection 10.

**Sec. 3. 26 MRSA §1043, sub-§19**, as amended by PL 2011, c. 691, Pt. A, §28, is further amended to read:

**19. Wages.** "Wages" means all remuneration for personal services, including commissions, bonuses, severance or terminal pay, gratuities and the cash value of all remuneration in any medium other than cash. The reasonable cash value of remuneration in any medium other than cash ~~shall~~ must be estimated and determined in accordance with regulations prescribed by the commission, except that:

A. For purposes of section 1221, the term "wages" does not include remuneration that exceeds ~~the first \$7,000 through December 31, 1999, and on and after January 1, 2000, the first \$12,000 that is paid in a calendar year to an individual by an employer or the employer's predecessor for employment during any calendar year, unless that remuneration is subject to a tax under a federal law imposing a tax against which credit may be taken for contributions required to be paid into a state unemployment fund. The wages of an individual for employment with an employer are subject to this exception whether earned in this State or any other state when the employer-employee relationship is between the same legal entities;~~

B. For purposes of section 1191, subsection 2, section 1192, subsection 5 and section 1221, the term "wages" ~~shall~~ does not include:

(1) The amount of any payment, including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment, made to, or on behalf of, an employee or any of ~~his~~ the employee's dependents under a plan or system established by an employer ~~which~~ that makes provision for ~~his~~ the employer's employees generally, or for ~~his~~ the employer's employees generally and their dependents, or for a class or classes of ~~his~~ the employer's employees, or for a class or classes of ~~his~~ the employer's employees and their dependents, on account of:

(a) Sickness or accident disability, but, in the case of payments made to an employee or any of ~~his~~ the employee's dependents, this subparagraph ~~shall exclude~~ excludes from the term "wages" only payments ~~which~~ that are received under a workers' compensation law;

(b) Medical or hospitalization expenses in connection with sickness or accident disability; or

(c) Death;

(1-A) Any payment on account of sickness or accident disability, or medical or hospitalization expenses in connection with sickness or accident disability, made by an employer or a 3rd party to, or on behalf of, an employee after the expiration of 6 calendar months following the last calendar month in which the employee worked for that employer;

(2) The payment by an employing unit, without deduction from the remuneration of the employee, of the tax imposed upon an employee under section 3101 of the Federal Insurance Contributions Act, as amended, with respect to service performed after July 26, 1940, with respect to remuneration paid to an employee for domestic service in a private home of the employer or for agricultural labor; or

(3) The amount of any payment, other than vacation or sick pay, to an individual after the month in which ~~he~~ the individual attains the age of 62, if ~~he~~ the individual did not perform services for the employing unit in the period for which such payment is made and is not expected to perform service in the future for the payment; or

(4) The amount of any nominal fee or stipend to a volunteer whose service is excluded from the definition of employment pursuant to subsection 11, paragraph F, subparagraph (35);

C. With respect to weeks of unemployment beginning on or after January 1, 1978, wages for insured work includes wages paid for previously uncovered services. For the purposes of this paragraph, the term "previously uncovered services" means services:

(1) That were not employment as defined in subsection 11, and were not services covered pursuant to section 1222, at any time during the one-year period ending December 31, 1975; and

(2) That:

(a) Are agricultural labor, as defined in subsection 11, paragraph A-2 or domestic service as defined in subsection 11, paragraph A-3; or

(b) Are services performed by an employee of this State or a political subdivision thereof, or any of their instrumentalities as provided in subsection 11,

paragraph A-1, subparagraph (1), or by an employee of a nonprofit educational institution that is not an institution of higher education, as provided in subsection 11, paragraph F, subparagraph (17), division (i);

except to the extent that assistance under Title II of the Emergency Jobs and Unemployment Assistance Act of 1974 was paid on the basis of such services;

D. Nothing in this subsection may be construed to include as wages any payment ~~which that~~ is not included as wages under the Federal Unemployment Tax Act, 26 United States Code, Section 3306(b)(5) and (r), as amended, as of January 1, 1985; and

E. Nothing in this subsection may be construed to exclude from wages any remuneration ~~which that~~ is:

(1) Taxable under any federal law that imposes a tax against which credit may be taken for contributions required to be paid into a state unemployment fund; or

(2) Required to be covered under this chapter as a condition for full tax credit against the tax imposed by the Federal Unemployment Tax Act.

**Sec. 4. 26 MRSA §1192, sub-§6-E**, as enacted by PL 1999, c. 705, §1, is amended to read:

**6-E. Prohibition against disqualification of individuals in approved training under federal Workforce Innovation and Opportunity Act.** Notwithstanding any other provision of this chapter, unless inconsistent with federal law, the acceptance of training opportunities available through the federal ~~Workforce Investment~~ Innovation and Opportunity Act of 1998, 20 United States Code, Sections 9201 to 9276 (1998) is deemed to be acceptance of training with the approval of the State within the meaning of any other provision of federal or state law relating to unemployment benefits.

**Sec. 5. 26 MRSA §1192, sub-§13**, as enacted by PL 2011, c. 645, §4, is amended to read:

**13. Reemployment services and eligibility assessment; participation.** In the case that the individual has been referred to reemployment services and eligibility assessment ~~services~~ by the Department of Labor, the individual participates in those services, unless the department determines there is good cause for the individual's failure to participate. Failure to participate in reemployment services and eligibility assessment ~~services~~ without good cause results in a denial of benefits until the individual participates.

**Sec. 6. 26 MRSA §1193, sub-§1, ¶A**, as amended by PL 2009, c. 33, §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 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 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. 7. 26 MRSA §1193, sub-§1, ¶C**, as enacted by PL 1989, c. 702, Pt. F, §1, is amended to read:

C. For the duration of ~~an unpaid voluntary~~ a leave of absence or sabbatical leave that has been mutually agreed to by the employee and the employer.

**Sec. 8. 26 MRSA §1193, sub-§1, ¶D** is enacted to read:

D. For the duration of a partial separation or reduction of hours initiated at the employee's request and agreed to by the employee and employer:

**Sec. 9. 26 MRSA §1193, sub-§7-A**, as enacted by PL 1985, c. 420, §2, is amended to read:

**7-A. Absence from work due to incarceration.**

For the duration of ~~his~~ the individual's unemployment subsequent to a discharge arising from ~~his~~ the individual's absence from work for more than 2 workdays due to ~~his~~ the individual's incarceration for conviction of a criminal offense. This disqualification continues until the ~~claimant~~ individual has earned ~~4~~ 8 times ~~his~~ the individual's weekly benefit amount in employment by an employer; or

**Sec. 10. 26 MRSA §1198, sub-§1, ¶F**, as enacted by PL 2011, c. 91, §1 and affected by §3, is amended to read:

F. "Intermittent employment" means employment that is not continuous but may consist of intervals of weekly work and intervals of no weekly work or annually reoccurring reductions of work at a year-round business that has not been determined seasonal.

**Sec. 11. 26 MRSA §1198, sub-§2, ¶J**, as enacted by PL 2013, c. 448, §3, is amended to read:

J. The eligible employer allows eligible employees to participate, as appropriate, in training, including employer-sponsored training or worker training funded under the federal Workforce ~~Investment~~ Innovation and Opportunity Act of 1998, Public Law 105-220, 112 Stat. 936, to enhance job skills if such training has been approved by the commissioner.

**Sec. 12. 26 MRSA §1221, sub-§3, ¶A**, as amended by PL 2013, c. 175, §1, is further amended to read:

A. At the time the status of an employing unit is ascertained to be that of an employer, the commissioner shall establish and maintain, until the employer status is terminated, for the employer an experience rating record, to which are credited all the contributions that the employer pays on the employer's own behalf. This chapter may not be construed to grant any employer or individuals in the employer's service prior claims or rights to the

amounts paid by the employer into the fund. Benefits paid to an eligible individual under the Maine Employment Security Law must be charged against the experience rating record of the claimant's most recent subject employer or to the General Fund if the otherwise chargeable experience rating record is that of an employer whose status as such has been terminated; except that no charge may be made to an individual employer but must be made to the General Fund if the commission finds that:

- (1) The claimant's separation from the claimant's last employer was for misconduct in connection with the claimant's employment or was voluntary without good cause attributable to the employer;
- (2) The claimant has refused to accept reemployment in suitable work when offered by a previous employer, without good cause attributable to the employer;
- (3) Benefits paid are not chargeable against any employer's experience rating record in accordance with section 1194, subsection 11, paragraphs B and C;
- (5) Reimbursements are made to a state, the Virgin Islands or Canada for benefits paid to a claimant under a reciprocal benefits arrangement as authorized in section 1082, subsection 12, as long as the wages of the claimant transferred to the other state, the Virgin Islands or Canada under such an arrangement are less than the amount of wages for insured work required for benefit purposes by section 1192, subsection 5;
- (6) The claimant was hired by the claimant's last employer to fill a position left open by a Legislator given a leave of absence under chapter 7, subchapter 5-A, and the claimant's separation from this employer was because the employer restored the Legislator to the position after the Legislator's leave of absence as required by chapter 7, subchapter 5-A;
- (7) The claimant was hired by the claimant's last employer to fill a position left open by an individual who left to enter active duty in the United States military, and the claimant's separation from this employer was because the employer restored the military serviceperson to the person's former employment upon separation from military service; ~~or~~
- (8) The claimant was hired by the claimant's last employer to fill a position left open by an individual given a leave of absence for family medical leave provided under Maine or federal law, and the claimant's separation from

this employer was because the employer restored the individual to the position at the completion of the leave; or

(9) The claimant initiated a partial separation or reduction of hours and that partial separation or reduction of hours was agreed to by the employee and employer.

See title page for effective date.

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## CHAPTER 118 H.P. 152 - L.D. 196

### An Act To Protect Personal Information of Participants in a Community Well-being Check Program

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

**Sec. 1. 1 MRSA §402, sub-§3, ¶T**, as amended by PL 2015, c. 161, §2, is further amended to read:

T. Records describing research for the development of processing techniques for fisheries, aquaculture and seafood processing or the design and operation of a depuration plant in the possession of the Department of Marine Resources; ~~and~~

**Sec. 2. 1 MRSA §402, sub-§3, ¶U**, as enacted by PL 2015, c. 161, §3, is amended to read:

U. Records provided by a railroad company describing hazardous materials transported by the railroad company in this State, the routes of hazardous materials shipments and the frequency of hazardous materials operations on those routes that are in the possession of a state or local emergency management entity or law enforcement agency, a fire department or other first responder. For the purposes of this paragraph, "hazardous material" has the same meaning as set forth in 49 Code of Federal Regulations, Section 105.5; and

**Sec. 3. 1 MRSA §402, sub-§3, ¶V** is enacted to read:

V. Participant application materials and other personal information obtained or maintained by a municipality or other public entity in administering a community well-being check program, except that a participant's personal information, including health information, may be made available to first responders only as necessary to implement the program. For the purposes of this paragraph, "community well-being check program" means a voluntary program that involves daily, or regular, contact with a participant and, when contact cannot be established, sends first re-

sponders to the participant's residence to check on the participant's well-being.

See title page for effective date.

**CHAPTER 119**  
**S.P. 324 - L.D. 985**

**An Act To Promote Medical  
Care for Visiting Athletic  
Teams**

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

**Sec. 1. 32 MRSA §2582** is enacted to read:

**§2582. Exemption for licensed person  
accompanying visiting athletic team**

**1. Licensed person accompanying visiting athletic team.** This chapter does not apply to a person who holds a current unrestricted license to practice osteopathic medicine and surgery in another state when the person, pursuant to a written agreement with an athletic team located in the state in which the person holds the license, provides medical services to any of the following while the team is traveling to or from or participating in a sporting event in this State:

- A. A member of the athletic team;
- B. A member of the athletic team's coaching, communications, equipment or sports medicine staff;
- C. A member of a band or cheerleading squad accompanying the team; or
- D. The team's mascot.

**2. Restrictions.** A person authorized to provide medical services in this State pursuant to subsection 1 may not provide medical services at a health care facility, including a hospital, ambulatory surgical facility or any other facility where medical care, diagnosis or treatment is provided on an inpatient or outpatient basis.

**Sec. 2. 32 MRSA §3270-F** is enacted to read:

**§3270-F. Exemption for licensed person  
accompanying visiting athletic team**

**1. Licensed person accompanying visiting athletic team.** This chapter does not apply to a person who holds a current unrestricted license to practice medicine and surgery in another state when the person, pursuant to a written agreement with an athletic team located in the state in which the person holds the license, provides medical services to any of the following while the team is traveling to or from or participating in a sporting event in this State:

- A. A member of the athletic team;
- B. A member of the athletic team's coaching, communications, equipment or sports medicine staff;
- C. A member of a band or cheerleading squad accompanying the team; or
- D. The team's mascot.

**2. Restrictions.** A person authorized to provide medical services in this State pursuant to subsection 1 may not provide medical services at a health care facility, including a hospital, ambulatory surgical facility or any other facility where medical care, diagnosis or treatment is provided on an inpatient or outpatient basis.

See title page for effective date.

**CHAPTER 120**  
**H.P. 724 - L.D. 1022**

**An Act Regarding the Contents  
of a Commercial Vehicle  
Towed without the Consent of  
the Vehicle's Owner**

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

**Sec. 1. 29-A MRSA §1861, first ¶,** as enacted by PL 2007, c. 150, §9, is amended to read:

A person holding or storing an abandoned vehicle, holding or storing a vehicle towed at the request of the vehicle's operator, owner or owner's agent or holding or storing a vehicle stored at the request of a law enforcement officer may hold the vehicle and all its accessories, contents and equipment, not including the personal effects of the registered owner, until reasonable towing and storage charges of the person holding or storing the vehicle are paid, except that a person may not hold the perishable cargo of a commercial motor vehicle, as defined in 49 Code of Federal Regulations, Part 390.5, as amended, when the perishable cargo being transported in interstate or intrastate commerce is not owned by the motor carrier or driver of the commercial motor vehicle being held and the person holding or storing the towed vehicle is presented with evidence of insurance, as defined in section 1551, covering the commercial motor vehicle and the vehicle's cargo. For purposes of this paragraph, "perishable cargo" means cargo of a commercial motor vehicle that is subject to spoilage or decay or is marked with an expiration date.

**Sec. 2. 29-A MRSA §1863** is enacted to read:

**§1863. Commercial motor vehicle nonconsensual tow**

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

A. "Commercial motor vehicle" has the same meaning as in 49 Code of Federal Regulations, Part 390.5, as amended.

B. "Commercial motor vehicle nonconsensual tow" means the towing of a commercial motor vehicle, its contents or other items related to removing the commercial motor vehicle from a roadway or a parking area without the consent of the owner, possessor, agent, insurer or lienholder.

**2. Requirement to itemize invoice.** Before demanding payment for any charge relating to a commercial motor vehicle nonconsensual tow, the towing facility must itemize the invoice, in detail, for all costs incurred with the recovery, towing, cleanup or storage of the towed vehicle or its contents.

**3. No liability without itemization.** A customer who has received a commercial motor vehicle nonconsensual tow is not liable for any charge not itemized on the invoice under subsection 2.

See title page for effective date.

**CHAPTER 121**

**H.P. 756 - L.D. 1078**

**An Act To Establish Municipal Cost Components for Unorganized Territory Services To Be Rendered in Fiscal Year 2017-18**

**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 determination and certification of the municipal cost components in the Unorganized Territory Tax District are necessary to the establishment of a mill rate and the levy of the Unorganized Territory Educational and Services Tax; 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. Municipal cost components for services rendered.** In accordance with the Maine Revised Statutes, Title 36, chapter 115, the Legislature determines that the net municipal cost component for services and reimbursements to be rendered in fiscal year 2017-18 is as follows:

Fiscal Administration - Office of the State Auditor	\$225,510
Education	12,264,663
Forest Fire Protection	150,000
Human Services - General Assistance	65,000
Property Tax Assessment - Operations	1,031,446
Maine Land Use Planning Commission - Operations	549,577
<b>TOTAL STATE AGENCIES</b>	<b>\$14,286,196</b>

County Reimbursements for Services:

Aroostook	\$1,288,800
Franklin	888,252
Hancock	238,750
Kennebec	12,823
Oxford	1,273,300
Penobscot	1,071,109
Piscataquis	1,014,232
Somerset	1,663,298
Washington	1,008,408

**TOTAL COUNTY SERVICES** **\$8,458,972**

COUNTY TAX INCREMENT FINANCING DISTRIBUTIONS FROM FUND

Tax Increment Financing Payments	\$3,957,568
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**TOTAL REQUIREMENTS** **\$26,702,736**

COMPUTATION OF ASSESSMENT

Requirements	\$26,702,736
Less Revenue Deductions:	
General Revenue	
State Revenue Sharing	\$80,000
Homestead	100,000
Reimbursement	
Miscellaneous Revenues	10,000
Transfer from unassigned fund balance	900,000
	<hr/>
TOTAL GENERAL REVENUE DEDUCTIONS	\$1,090,000
Educational Revenue	
Land Reserved Trust	\$70,000
Tuition/Travel	110,768
United States Forestry	15,000
Payment in Lieu of Taxes	
Special - Teacher Retirement	230,000
	<hr/>
TOTAL EDUCATION REVENUE DEDUCTIONS	\$425,768
TOTAL REVENUE DEDUCTIONS	<hr/> \$1,515,768 <hr/>
TAX ASSESSMENT BEFORE COUNTY TAXES and OVERLAY (Title 36 §1602)	\$25,186,968

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

Effective June 2, 2017.

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**CHAPTER 122  
H.P. 206 - L.D. 273**

**An Act To Add an Exception to Prescription Monitoring Program Requirements**

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

**Sec. 1. 22 MRSA §7253, sub-§3**, as enacted by PL 2015, c. 488, §9, is repealed and the following enacted in its place:

**3. Exceptions.** The requirements to check prescription monitoring information established in this section do not apply:

A. When a licensed or certified health care professional directly orders or administers a benzodiazepine or opioid medication to a person in an emergency room setting, an inpatient hospital setting, a long-term care facility or a residential care facility; or

B. When a licensed or certified health care professional directly orders, prescribes or administers a benzodiazepine or opioid medication to a person suffering from pain associated with end-of-life or hospice care.

See title page for effective date.

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**CHAPTER 123  
S.P. 194 - L.D. 579**

**An Act Regarding Transfers of Liquor between Licensed Manufacturers' Facilities**

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

**Sec. 1. 28-A MRSA §1355-A, sub-§2, ¶K** is enacted to read:

K. For the purposes of selling liquor for on-premises and off-premises consumption, a licensee who operates more than one facility licensed for the manufacture of liquor under this section may:

(1) Transfer product produced by the licensee in bulk or packaged in kegs, bottles or cans, including by the case, at one facility licensed for the manufacture of liquor to another facility at which the licensee is licensed to manufacture liquor or to any location where the licensee:

(a) Serves samples of the manufacturer's product in accordance with subsection 2, paragraphs E and F; and

(b) Is authorized under this section to sell the manufacturer's product to nonlicensees for off-premises consumption; and

(2) Transfer product produced by the licensee in bulk or packaged in kegs, bottles or cans, including by the case, from a facility at which the licensee is licensed to manufacture liquor to any establishment licensed for on-premises consumption under chapter 43 operated by the licensee as authorized under paragraph I.

If the same person or persons hold a majority ownership interest of greater than 50% in more than one facility licensed for the manufacture of liquor under this section, the person or persons is considered one licensee for the purpose of transferring liquor as authorized by this paragraph.

See title page for effective date.

## CHAPTER 124

### S.P. 221 - L.D. 659

#### An Act To Amend the Maine Guaranteed Access Reinsurance Association Act

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

**Sec. 1. 24-A MRSA §3953, sub-§1**, as amended by PL 2015, c. 404, §1, is further amended to read:

**1. Guaranteed access reinsurance mechanism established.** The Maine Guaranteed Access Reinsurance Association is established as a nonprofit legal entity. As a condition of doing business in the State, an insurer that has issued or administered medical insurance within the previous 12 months or is actively marketing a medical insurance policy or medical insurance administrative services in this State must participate in the association. The Dirigo Health Program established in chapter 87 and any other state-sponsored health benefit program shall also participate in the association. ~~Except as provided in section 3962~~ Unless an earlier resumption of operations is ordered by the superintendent in accordance with paragraph A, operations of the association are suspended until December 31, 2023 except to the extent provided in section 3962 and the association may not collect assessments as provided in section 3957, provide reinsurance for member insurers under section 3958 or provide reimbursement for member insurers under section

3961 as of the date on which a transitional reinsurance program established under the authority of Section 1341 of the federal Affordable Care Act commences operations in this State ~~until December 31, 2017.~~

A. If the board proposes a revised plan of operation that calls for the resumption of operations earlier than December 31, 2023 and the superintendent determines that the revised plan is likely to provide significant benefit to the State's health insurance market, the superintendent may order the association to resume operations in accordance with the revised plan. This paragraph applies only if:

(1) An innovation waiver under Section 1332 of the federal Affordable Care Act as contemplated by paragraphs B and C is granted; or

(2) The federal Affordable Care Act is repealed or amended in a manner that makes the granting of an innovation waiver unnecessary or inapplicable.

B. After consulting with the board and receiving public comment, the superintendent may develop a proposal for an innovation waiver under Section 1332 of the federal Affordable Care Act that facilitates the resumption of operations of the association in a manner that prevents or minimizes the loss of federal funding to support the affordability of health insurance in the State.

C. With the approval of the Governor, the superintendent may submit an application on behalf of the State in accordance with the proposal developed under paragraph B for the purposes of resuming operations of the association to the United States Department of Health and Human Services and to the United States Secretary of the Treasury to waive certain provisions of the federal Affordable Care Act as provided in Section 1332. The superintendent may implement any federally approved waiver.

See title page for effective date.

## CHAPTER 125

### H.P. 721 - L.D. 1019

#### An Act To Establish a 6-day Nonresident Archery License

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

**Sec. 1. 12 MRSA §11109, sub-§7**, as amended by PL 2015, c. 245, §3, 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 \$26;
- B. A resident combination archery hunting and fishing license is \$43;
- C. A nonresident archery license is \$75; and
- D. An alien archery license is \$85; and
- E. A nonresident 6-day archery license, which is valid for 6 consecutive hunting days, is \$26.

See title page for effective date.

## CHAPTER 126

S.P. 354 - L.D. 1072

### An Act To Amend the Laws Regarding Dealers in Secondhand Precious Metals

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

**Sec. 1. 30-A MRSA §3972, sub-§1, ¶B,** as enacted by PL 2013, c. 398, §1, is amended to read:

B. "Precious metals" means any item composed in whole or in part of gold, palladium, platinum or silver, but does not include dental gold, unrefined metal ore, an electronic product, any part of a mechanical system on a motor vehicle or gold or silver coins or bullion.

**Sec. 2. 30-A MRSA §3972, sub-§2, ¶C,** as enacted by PL 2013, c. 398, §1, is amended to read:

C. A digital photograph of each item of precious metals that is the subject of the transaction, ~~as well as a complete description of the item purchased or acquired from the seller, including the weight of the item and any identification numbers, names, initials, serial numbers or identifying marks on the item.~~ A dealer may satisfy the requirements of this paragraph by taking digital photographs of groups of 5 or fewer substantially similar items, as long as the quality of each digital photograph is sufficient to allow the item to be identified by the owner; and

**Sec. 3. 30-A MRSA §3972, sub-§2, ¶D,** as enacted by PL 2013, c. 398, §1, is repealed.

**Sec. 4. 30-A MRSA §3972, sub-§6,** as enacted by PL 2013, c. 398, §1, is amended to read:

**6. Municipal registration or permit.** A person may not act as a dealer without a permit issued by the registering as a dealer in secondhand precious metals with or, if required by the municipality, obtaining a

permit issued by the municipal officers of the municipality in which the person intends to maintain a permanent place or places of business. A dealer shall provide the address of the permanent place of business at which the dealer will do business to the municipality and shall notify the municipality if the location changes. ~~The municipal officers may require other reasonable information as to the identity of the persons managing, supervising or conducting the business as necessary in order to fulfill the purposes of this section. The municipal officers may not issue a permit to act as a dealer to a person if they find that issuance of the permit would be detrimental to the public health, safety or welfare. Without a municipal permit, a person may not engage in the business of dealing in secondhand precious metals.~~

See title page for effective date.

## CHAPTER 127

S.P. 411 - L.D. 1220

### An Act To Repeal the Former Interstate Compact for Juveniles

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

**Sec. 1. 15 MRSA §3101, sub-§2, ¶C,** as amended by PL 1979, c. 681, §38, is further amended to read:

C. Juvenile Courts ~~shall~~ have jurisdiction over all petitions brought under ~~the Uniform Interstate Compact on Juveniles, Title 34 34-A, chapter 9, subchapter 7~~ pertaining to juveniles who have been adjudicated as having committed juvenile crimes in other states, but who are found within the territorial jurisdiction of ~~Maine~~ the State.

**Sec. 2. 34-A MRSA c. 9, sub-c. 1,** as amended, is repealed.

See title page for effective date.

## CHAPTER 128

S.P. 412 - L.D. 1221

### An Act To Clarify and Amend Certain Provisions of Law Regarding Victim Services

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

**Sec. 1. 17-A MRSA §1175, first ¶,** as amended by PL 2013, c. 133, §10, is further amended to read:

Upon complying with subsection 1, a victim of a crime of murder or of a Class A, Class B or Class C crime or of a Class D crime under chapters 9, 11 and 12 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 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 101-D or upon discharge under Title 15, section 104-A and must receive notice of any conditional release of the defendant from institutional confinement, including probation, supervised release for sex offenders, parole, furlough, work release, funeral or deathbed visit, supervised community confinement, home release monitoring or similar program, administrative release or release under Title 15, section 104-A. For purposes of this section, "victim" also includes a person who has obtained under Title 19-A, section 4007 an active protective order or approved consent agreement against the defendant.

**Sec. 2. 17-A MRSA §1175, sub-§1**, as enacted by PL 1995, c. 680, §5, is amended to read:

1. A victim who wishes to receive notification must file a request for notification of the defendant's release with the office of the attorney for the State. The attorney for the State shall forward this request form to the Department of Corrections, to the state mental health institute or to the county jail to which that defendant is committed. Notwithstanding this subsection, a victim who wishes to receive notification regarding a defendant who is committed to the Department of Corrections may file a request for notification of the defendant's release directly with the Department of Corrections.

**Sec. 3. 17-A MRSA §1175, sub-§3, ¶B**, as amended by PL 2013, c. 133, §11, 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, funeral or deathbed visit, 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-D or upon the expiration of a sentence or upon discharge under Title 15, section 104-A;

**Sec. 4. 17-A MRSA §1203, sub-§1-A, ¶B-1** is enacted to read:

B-1. The court may revoke probation if, during an unsuspended portion of the term of imprisonment:

(1) The person has contact with a victim with whom the person has been ordered not to have contact as a condition of probation;

(2) In the case of a person who has been committed to the Department of Corrections, the person has contact with any victim with whom the person has been prohibited to have contact by the Department of Corrections; or

(3) In the case of a person who has been committed to a county or regional jail, the person has contact with any victim with whom the person has been prohibited to have contact by the county or regional jail.

"Victim," as used in this paragraph, has the same meaning as in section 1171, subsection 2 and section 1175.

**Sec. 5. 34-A MRSA §1214, sub-§1, ¶¶A and B**, as enacted by PL 2001, c. 439, Pt. G, §1, are repealed.

**Sec. 6. 34-A MRSA §1214, sub-§2, ¶¶A and B**, as enacted by PL 2001, c. 439, Pt. G, §1, are amended to read:

A. The Victim Services Coordinator shall report only to the commissioner or ~~an associate commissioner~~ the commissioner's designee.

B. The Victim Services Coordinator shall, with the approval of the commissioner or ~~an associate commissioner~~ the commissioner's designee, select other victim advocates needed to carry out the intent of this section and who shall report only to the Victim Services Coordinator.

See title page for effective date.

## CHAPTER 129

### H.P. 851 - L.D. 1229

#### An Act To Ensure Life Insurance Claims Are Paid

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

**Sec. 1. 24-A MRSA §4551**, as amended by PL 2003, c. 20, Pt. T, §14, is further amended to read:

#### **§4551. Disposition of unclaimed funds**

All unclaimed money held and owing by any life insurer doing business in this State must be disposed of according to Title 33, chapter 41. Before disposing of any unclaimed money in accordance with Title 33,

chapter 41, a life insurer doing business in this State shall comply with this section.

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

A. "Contract" means an annuity contract. "Contract" does not include an annuity used to fund an employment-based retirement plan or program in which the insurer does not perform the record-keeping services or the insurer is not committed by terms of the annuity contract to pay death benefits to the beneficiaries of specific plan participants.

B. "Death master file" means the United States Social Security Administration's death master file or any other database or service that is at least as comprehensive as the United States Social Security Administration's death master file that is used for determining and recording that a person has been reported to have died.

C. "Death master file match" means a search of the death master file that results in a match of the social security number or the name and date of birth of an insured, an annuity owner or a retained asset account holder.

D. "Knowledge of death" means the receipt of an original or valid copy of a certified death certificate or a death master file match validated by the insurer in accordance with this section.

E. "Policy" means any policy or certificate of life insurance that provides a death benefit. "Policy" does not include:

(1) Any policy or certificate of life insurance that provides a death benefit under an employee benefit plan subject to the federal Employee Retirement Income Security Act of 1974, as amended;

(2) Any policy or certificate of life insurance that provides a death benefit under any federal employee benefit program;

(3) Any policy or certificate of life insurance that is used to fund a pre-need funeral contract or prearrangement;

(4) Any policy or certificate of credit life or accidental death insurance; or

(5) Any policy issued to a group master policyholder for which the insurer does not provide record-keeping services.

F. "Record-keeping services" means those circumstances under which the insurer has agreed with a group policy or contract customer to be responsible for obtaining, maintaining and administering in its own or its agents' systems at least the

following information about each individual insured under an insured's group insurance contract or a line of coverage thereunder: the individual insured's social security number or name and date of birth, beneficiary designation information, coverage eligibility, benefit amount and premium payment status.

G. "Retained asset account" means an account in which the settlement of proceeds payable under a policy or contract occurs when the insurer, or an entity acting on behalf of the insurer, deposits the proceeds into an account with check or draft writing privileges and those proceeds are retained by the insurer or its agent pursuant to a supplementary contract not involving annuity benefits other than death benefits.

**2. Insurer conduct.** An insurer shall perform a comparison of its insureds' in-force policies, contracts and retained asset accounts against a death master file, on at least a semiannual basis, by using the death master file once for each insured and thereafter using the death master file update files for future comparisons to identify potential matches of the insurer's insureds. For those potential matches identified as a result of a death master file match, the insurer shall:

A. Within 90 days of a death master file match, complete a good faith effort, which must be documented by the insurer, to confirm the death of an insured, an annuity owner or retained asset account holder against other available records and information;

B. Determine whether benefits are due in accordance with the applicable policy or contract and, if benefits are due in accordance with the applicable policy or contract:

(1) Use good faith efforts, which must be documented by the insurer, to locate the beneficiary or beneficiaries; and

(2) Provide the appropriate claim forms or instructions to the beneficiary or beneficiaries, including notice of the necessity of providing an official death certificate, if applicable under the policy or contract.

With respect to group life insurance, the insurer shall confirm the death of an insured when the insurer maintains at least the following information about each insured covered under a policy or certificate: the insured's social security number or name and date of birth, beneficiary designation information, coverage eligibility, benefit amount and premium payment status.

**3. Required procedures.** As part of its record-keeping procedures, an insurer shall implement procedures to account for:

A. Common nicknames, initials used in lieu of a first or middle name and use of a middle name;

B. Compound first and middle names and interchanged first and middle names;

C. Compound last names, maiden or married names and hyphens or blank spaces;

D. Apostrophes in last names;

E. Transposition of the month and date portions of the date of birth; and

F. Incomplete social security numbers.

4. Disclosure of personal information. To the extent permitted by law, an insurer may disclose the minimum necessary personal information about an insured or beneficiary to a person the insurer reasonably believes may be able to assist the insurer in locating a beneficiary or a person otherwise entitled to payment of the claims proceeds.

5. No fees. An insurer or its service provider may not charge any beneficiary or other authorized representative for any fees or costs associated with a death master file search or verification of a death master file match conducted pursuant to this section.

6. Payment of benefits. The benefits from a policy, a contract or a retained asset account, plus any applicable accrued contractual interest, is payable to a designated beneficiary or annuity owner. In the event a beneficiary or owner cannot be found after good faith efforts to contact the beneficiary or owner pursuant to this section have been carried out and documented, the insurer shall dispose of any unclaimed money according to Title 33, chapter 41.

See title page for effective date.

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## CHAPTER 130

### S.P. 67 - L.D. 221

#### An Act To Amend the Laws Regarding the Municipality of Responsibility for General Assistance Applicants Released from a State Correctional Facility or County Jail Facility

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

**Sec. 1. 22 MRSA §4307, sub-§4**, as amended by PL 2015, c. 267, Pt. II, §1, is further amended to read:

**4. Special circumstances.** Overseers of a municipality may not move or transport an applicant or recipient into another municipality to relieve their municipality of responsibility for that applicant's or re-

ipient's support. The municipality of responsibility for relocations, ~~persons released from correctional facilities~~ and institutional settings is as follows.

A. When an applicant or recipient requests relocation to another municipality and the overseers of a municipality assist that person to relocate to another municipality, the municipality from which that person is moving continues to be responsible for the support of the recipient for 30 days after relocation. As used in this paragraph, "assist" includes:

- (1) Granting financial assistance to relocate; and
- (2) Making arrangements for a person to relocate.

B. If an applicant is in a group home, shelter, rehabilitation center, nursing home, hospital or other institution at the time of application and has either been in that institution for 6 months or less, or had a residence immediately prior to entering the institution which the applicant had maintained and to which the applicant intends to return, the municipality of responsibility is the municipality where the applicant was a resident immediately prior to entering the institution. For the purpose of this paragraph, a hotel, motel or similar place of temporary lodging is considered an institution when a municipality:

- (1) Grants financial assistance for a person to move to or stay in temporary lodging;
- (2) Makes arrangements for a person to stay in temporary lodging;
- (3) Advises or encourages a person to stay in temporary lodging; or
- (4) Illegally denies housing assistance and, as a result of that denial, the person stays in temporary lodging.

~~C. If an applicant has been released from a correctional facility within 45 days of application, the municipality of responsibility for the first 12 months of payment of benefits is the municipality that was on record as the residence of the applicant when the applicant was committed to the correctional facility. A municipality of responsibility must accept an application for general assistance by telephone if the applicant is calling from another municipal office, as long as the written application is contemporaneously faxed or sent electronically to the municipality of responsibility.~~

See title page for effective date.

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**CHAPTER 131**  
**S.P. 169 - L.D. 508**

**An Act Regarding Restrictions  
on the Purchase of Certain  
Animals**

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

**Sec. 1. 7 MRSA §3972, sub-§1, ¶B,** as enacted by PL 1987, c. 383, §3, is amended to read:

B. Sell, display, raffle, give away or offer for sale to the public any live fowl, turtles or rabbits under 8 weeks of age in lots of less than 6 2;

See title page for effective date.

**CHAPTER 132**  
**H.P. 565 - L.D. 785**

**An Act To Improve Safety and  
Traffic Efficiency near School  
Grounds**

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

**Sec. 1. 29-A MRSA §2091-A** is enacted to read:

**§2091-A. School crossing guards**

**1. Qualifications.** A school crossing guard is qualified to direct traffic if the school crossing guard:

- A. Is 18 years of age or older;
- B. Is under the control of a local law enforcement agency;
- C. Has completed training approved by the Department of Labor, Bureau of Labor Standards in controlling traffic on a public way and as described by section 2091, subsection 2 to perform any traffic direction duties to which the school crossing guard is assigned as prescribed by the local law enforcement agency that has control over the school crossing guard;
- D. Is wearing an appropriate uniform as specified by the local law enforcement agency that has control over the school crossing guard; and
- E. Is directing traffic in an intersection with a marked crosswalk on a public way.

**2. Obeying school crossing guards.** An operator of a motor vehicle shall obey a hand signal or handheld traffic control device of a school crossing guard qualified under subsection 1. A violation of this subsection is a traffic infraction.

**3. Assisting pedestrians.** This section does not prohibit a school crossing guard who does not meet the specifications described in subsection 1 from assisting a pedestrian to cross a public way, as long as the school crossing guard does not attempt to do so by directing traffic.

**4. Restrictions.** A school crossing guard may not contradict or override a lighted traffic control device or pedestrian control device or cause a pedestrian or motor vehicle to violate the provisions of section 2057.

See title page for effective date.

**CHAPTER 133**  
**S.P. 280 - L.D. 880**

**An Act To Protect a  
Homeowner's Equity of  
Redemption in a Foreclosure  
Action**

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

**Sec. 1. 14 MRSA §6322, 2nd ¶,** as corrected by RR 2013, c. 2, §27, is amended to read:

If the court determines that such a breach exists, a judgment of foreclosure and sale must issue providing that if the mortgagor or the mortgagor's successors, heirs and assigns do not pay the sum that the court adjudges to be due and payable, with interest within the period of redemption, the mortgagee shall proceed with a sale as provided. Notwithstanding section 6704, for property described in section 6111, a writ of possession may not issue until the expiration of the period of redemption provided for in this section, except that this section does not impair the right of a mortgagee to exercise rights set forth in the mortgage or security instrument to protect the mortgaged property. If the mortgagor or the mortgagor's successors, heirs and assigns pay to the mortgagee the sum that the court adjudges to be due and payable to the mortgagee with interest within the period of redemption, then the mortgagee shall forthwith discharge the mortgage and file a dismissal of the action for foreclosure with the clerk of the court.

See title page for effective date.

**CHAPTER 134**  
**H.P. 744 - L.D. 1061**

**An Act To Increase Investment  
and Regulatory Stability in the  
Electric Industry**

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

**Sec. 1. 35-A MRSA §3210-C, sub-§1, ¶F-1** is enacted to read:

F-1. "Term sheet" means a preliminary document that outlines the terms of a proposal accepted under a request for proposals that is not binding on the parties but assists the parties in drafting a final agreement based upon the accepted proposal.

**Sec. 2. 35-A MRSA §3210-C, sub-§3**, as amended by PL 2013, c. 424, Pt. A, §20, is further amended to read:

**3. Commission authority.** The commission may direct investor-owned transmission and distribution utilities to enter into long-term contracts for:

- A. Capacity resources;
- B. Any available energy associated with capacity resources contracted under paragraph A:
  - (1) To the extent necessary to fulfill the policy of subsection 2, paragraph A; or
  - (2) If the commission determines appropriate for purposes of supplying or lowering the cost of standard-offer service or otherwise lowering the cost of electricity for the ratepayers in the State. Available energy contracted pursuant to this subparagraph may be sold into the wholesale electricity market in conjunction with solicitations for standard-offer supply bids; ~~and~~

C. Any available renewable energy credits associated with capacity resources contracted under paragraph A. The price paid by the investor-owned transmission and distribution utility for the renewable energy credits must be lower than the price received for those renewable energy credits at the time they are sold by the investor-owned transmission and distribution utility; ~~and~~

D. Transmission capacity, capacity resources, energy or renewable energy credits pursuant to a regional procurement process in conjunction with other states.

The commission may permit, but may not require, investor-owned transmission and distribution utilities to enter into contracts for differences that are designed and intended to buffer ratepayers in the State from potential negative impacts from transmission development. To the greatest extent possible, the commis-

sion shall develop procedures for long-term contracts for investor-owned transmission and distribution utilities under this subsection having the same legal and financial effect as the procedures used for standard-offer service pursuant to section 3212 for investor-owned transmission and distribution utilities.

The commission may enter into contracts for interruptible, demand response or energy efficiency capacity resources. These contracts are not subject to the rules of the State Purchasing Agent. In a competitive solicitation conducted pursuant to subsection 6, the commission shall allow transmission and distribution utilities to submit bids for interruptible or demand response capacity resources.

Capacity resources contracted under this subsection may not exceed the amount necessary to ensure the reliability of the electric grid of this State, to meet the energy efficiency program budget allocations articulated in the triennial plan as approved by the commission pursuant to section 10104, subsection 4 or any annual update plan approved by the commission pursuant to section 10104, subsection 6 or to lower customer costs as determined by the commission pursuant to rules adopted under subsection 10.

Unless the commission determines the public interest requires otherwise, a capacity resource may not be contracted under this subsection unless the commission determines that the capacity resource is recognized as a capacity resource for purposes of any regional or federal capacity requirements.

The commission shall ensure that any long-term contract authorized under this subsection is consistent with the State's goals for greenhouse gas reduction under Title 38, section 576 and the regional greenhouse gas initiative as described in the state climate action plan required in Title 38, section 577.

By January 1st of each year, the commission shall submit a report to the joint standing committee of the Legislature having jurisdiction over energy and utilities matters on the procurement of transmission capacity, capacity resources, energy and renewable energy credits in the preceding 12 months under this subsection, the Community-based Renewable Energy Act and deep-water offshore wind energy pilot projects under Public Law 2009, chapter 615, Part A, section 6, as amended by Public Law 2013, chapter 369, Part H, sections 1 and 2 and chapter 378, sections 4 to 6. The report must contain information including, but not limited to, the number of requests for proposals by the commission for long-term contracts, the number of responses to requests for proposals pursuant to which a contract has been finalized, the number of executed term sheets or contracts resulting from the requests for proposals, the commission's initial estimates of ratepayer costs or savings associated with any approved term sheet, actual ratepayer costs or savings for the previous year associated with any procurement, the

total ratepayer costs or savings at the time of the report and the megawatt-hours, renewable energy credits or capacity produced or procured through contracts. The report must also include a plan for the succeeding 12 months pertaining to the procurement of capacity resources, energy and renewable energy credits, including dates for requests for proposals, and types of resources to be procured.

See title page for effective date.

## CHAPTER 135

S.P. 424 - L.D. 1261

### An Act To Protect Children from Sex Trafficking

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

**Sec. 1.** 17-A MRSA §259-B is enacted to read:

**§259-B. Solicitation of a child to engage in prostitution**

1. A person is guilty of soliciting a child to engage in prostitution if the actor knowingly solicits directly or indirectly by any means a person the actor knows or believes is under 18 years of age to engage in prostitution, as defined in section 851.

2. Violation of this section is a Class D crime.

See title page for effective date.

## CHAPTER 136

S.P. 505 - L.D. 1459

### An Act To Protect the Public from Dangerous Buildings

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

**Sec. 1.** 17 MRSA §2851, as amended by PL 1997, c. 6, §1, is further amended to read:

**§2851. Dangerous buildings**

~~Whenever the~~ The municipal officers in the case of a municipality; or the county commissioners in the case of the unorganized or deorganized areas in their county, ~~find that a building or structure or any portion thereof or any wharf, pier, pilings or any portion thereof that is or was located on or extending from land within the boundaries of the municipality or the unorganized or deorganized area, as measured from low water mark, is structurally unsafe; unstable; unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; con-~~

~~stitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property, they may after notice pursuant to section 2857 and hearing on this matter adjudge the same a building to be a nuisance or dangerous, in accordance with subsection 2-A, and may make and record an order, in accordance with subsection 3, prescribing what disposal must be made of that building or structure. The order may allow for delay of disposal if the owner or party in interest has demonstrated the ability and willingness to satisfactorily rehabilitate the building. If an appeal pursuant to section 2852 is not filed or, if an appeal pursuant to section 2852 is filed and the Superior Court does not order, stay or overturn the order to dispose of the building, the municipal officers or the county commissioners shall cause the nuisance to be abated or removed in compliance with the order.~~

For the purposes of this subchapter, "building" means a building or structure or any portion of a building or structure or any wharf, pier, pilings or any portion of a wharf, pier or pilings thereof that is or was located on or extending from land within the boundaries of the municipality or the unorganized or deorganized area, as measured from low water mark, and "parties in interest" has the same meaning as in Title 14, section 6321.

~~**1. Notice.** The notice must be served on the owner and all parties in interest, as defined in Title 14, section 6321, in the same way service of process is made in accordance with the Maine Rules of Civil Procedure.~~

~~**2. Notice; how published.** When the name or address of any owner or co-owner is unknown or is not ascertainable with reasonable diligence, then the notice must be published once a week for 3 successive weeks prior to the date of hearing in a newspaper generally circulated in the county, or if none, in the state paper.~~

**2-A. Standard.** To adjudge a building to be a nuisance or dangerous, the municipal officers or county commissioners must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property.

**3. Recording of the order.** The An order made by the municipal officers or county commissioners under this section must be recorded by the municipal or county clerk, who shall cause an attested copy to be served upon the owner and all parties in interest in the same way service of process is made in accordance with the Maine Rules of Civil Procedure. If the name or address cannot be ascertained, the clerk shall pub-

lish a copy of the order in the same manner as provided for notice in ~~subsection 2~~ section 2857.

**4. Proceedings in Superior Court.** In addition to proceedings before the municipal officers or the county commissioners, the municipality or the county may seek an order of demolition by filing a complaint in the Superior Court situated in the county where the structure building is located. The complaint must identify the location of the property and set forth the reasons why the municipality or the county seeks its removal. Service of the complaint must be made upon the owner and ~~parties in interest~~ parties in interest in accordance with the Maine Rules of Civil Procedure. After hearing before the court sitting without a jury, the court shall issue an appropriate order and, if it requires removal of the structure building, it shall award costs as authorized by this subchapter to the municipality or the county. Appeal from a decision of the Superior Court is to the law court in accordance with the Maine Rules of Civil Procedure.

**Sec. 2. 17 MRSA §2852**, as amended by PL 1997, c. 6, §2, is further amended to read:

**§2852. Appeal; hearing**

An appeal from a decision of the municipal officers or county commissioners under section 2851 or section 2856 must be to the Superior Court, pursuant to the provisions of the Maine Rules of Civil Procedure, Rule 80B.

**Sec. 3. 17 MRSA §2853**, as amended by PL 1979, c. 27, §5, is further amended to read:

**§2853. Recovery of expenses**

~~If no appeal is filed, the municipal officers of such municipality shall cause said nuisance to be abated or removed in compliance with their order, and all All expenses thereof shall incurred by a municipality or county related to an order issued under section 2851, including, but not limited to, expenses relating to the abatement or removal of a building, must be repaid to the municipality or county by the owner or co-owner within 30 days after demand, or a special tax may be assessed by the assessors against the land on which said the building was located for the amount of such the expenses and such that amount shall must be included in the next annual warrant to the tax collector of said town the municipality or county for collection; and shall must be collected in the same manner as other state, county and municipal taxes are collected.~~

In the case of any claim for expenses incurred in the abatement or removal of any wharf, pier, pilings or any portion thereof ~~which that~~ extends beyond the low water mark, the special tax authorized by this section ~~shall must~~ apply to the land from which ~~such the~~ wharf, pier or pilings extended or to which they were adjacent, ~~provided if~~ the owner of the land is also the

owner of the ~~said~~ wharf, pier, pilings or portion thereof.

Expenses ~~shall include, but not by way of limitation are not limited to~~, the costs of title searches, location reports, service or process, reasonable attorney's fees, costs of removal of the structure building, any costs incurred in securing the structure building pending its removal; and all other costs incurred by the municipality ~~which or county that~~ are reasonably related to the removal of the structure building. In addition to levying a special tax, the municipality or county may recover its expenses, including its reasonable attorney's fees, by means of a civil action brought against the owner.

**Sec. 4. 17 MRSA §2856**, as enacted by PL 1979, c. 27, §6, is amended to read:

**§2856. Securing dangerous buildings**

In addition to other proceedings authorized by this subchapter, a municipality ~~shall have~~ has the right to secure ~~structures which~~ buildings that pose a serious threat to the public health and safety and to recover its expenses in so doing as provided in ~~this subchapter section 2853~~. If a building is secured under this section, notice, in accordance with section 2851, ~~subsection 1, shall~~ 2857 must be given. This notice need not be given before securing the structure building if the threat to the public health and safety requires prompt action.

**Sec. 5. 17 MRSA §2857**, as enacted by PL 1979, c. 27, §6, is amended to read:

**§2857. Notice; recording**

Notice required under section 2851 or section 2856 must be served on the owner and parties in interest in the same way service of process is made in accordance with the Maine Rules of Civil Procedure. When the name or address of an owner or party in interest is unknown or is not ascertainable with reasonable diligence, the notice must be published once a week for 3 successive weeks prior to the date of hearing in a newspaper generally circulated in the county, or if none, in the state paper.

The municipal or county clerk shall cause an attested copy of the notice to be recorded in the Registry of Deeds located within the county where the structure building is situated. Recording of this notice ~~shall be deemed to put~~ puts any person claiming under the owner of a structure building subject to proceedings under this subchapter on notice of the pendency of the proceedings.

**Sec. 6. 17 MRSA §2858**, as enacted by PL 1979, c. 27, §6, is amended to read:

**§2858. Consent to removal**

The owner ~~and parties in interest~~ or a party in interest of a dangerous structure building may consent to

its removal and to the recovery of the expenses incurred by a municipality or county by means of a special tax as set forth in this subchapter. Notices of the consent ~~shall~~ must be recorded in the Registry of Deeds located in the county where the structure building is situated.

**Sec. 7. 17 MRSA §2859, sub-§1**, as corrected by RR 2007, c. 2, §5, is amended to read:

**1. Commencement of action.** A municipality, acting through its building official, code enforcement officer, fire chief or municipal officers, shall file a verified complaint setting forth such facts as would justify a conclusion that a building ~~or structure~~ is "dangerous," ~~as that term is defined~~ described in section 2851<sup>1/2</sup>, and shall state in the complaint that the public health, safety or welfare requires the immediate removal of that building ~~or structure~~.

**Sec. 8. 17 MRSA §2859, sub-§2, ¶A**, as enacted by PL 1981, c. 43, is amended to read:

A. Requiring the owner and all ~~parties in interest, as that term is defined in the statutes governing foreclosure by civil action;~~ parties in interest to appear and show cause why the building ~~or structure~~ should not be ordered demolished;

**Sec. 9. 17 MRSA §2859, sub-§§4 and 5**, as enacted by PL 1981, c. 43, are amended to read:

**4. Hearing.** After hearing, the court shall enter judgment. If the judgment requires removal of the building ~~or structure~~, the court shall award costs to the municipality as authorized by this subchapter. The award of costs may be contested and damages sought in a separate action to the extent permitted by subsection 7.

**5. Appeal.** ~~No~~ A judgment requiring demolition issued pursuant to this section may not be appealed. The owner of a building ~~or structure which that~~ is the subject of an order issued under this section; ~~or a party in interest,~~ party in interest may appeal the award of costs, if any, or seek damages for wrongful removal pursuant to subsection 7.

**Sec. 10. 17 MRSA §2859, sub-§7**, as amended by PL 1995, c. 450, §6, is further amended to read:

**7. Damages.** Any complaint that either seeks damages for the wrongful removal of a building ~~or structure~~ or challenges the award of costs must be filed no later than 30 days from the date of the judgment or order that is the subject of the appeal. The damages that may be awarded for wrongful demolition are limited to the actual value of the structure building at the time of its removal. The provisions of Title 14, section 7552 do not apply. If the municipality ~~should prevail~~ prevails, the court may award it its costs in

defending any appeal, which may include, but are not limited to, reasonable attorney's fees.

See title page for effective date.

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**CHAPTER 137**  
**H.P. 1012 - L.D. 1473**

**An Act To Make Minor  
Changes and Corrections to  
Statutes Administered by the  
Department of Environmental  
Protection**

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

**PART A**

**Sec. A-1. 32 MRSA §4171, sub-§2-A** is enacted to read:

**2-A. Commissioner.** "Commissioner" means the Commissioner of Environmental Protection.

**Sec. A-2. 32 MRSA §4174**, as amended by PL 2011, c. 206, §2, is further amended to read:

**§4174. Examination; criteria; standards**

The commissioner shall hold at least one examination each year for the purpose of examining candidates for certification at a time and place designated by the commissioner.

The ~~board~~ commissioner shall establish the criteria and conditions for the classification of wastewater treatment plants or systems, using as a basis the standards established by the New England Water Pollution Control Association.

The ~~board~~ commissioner shall establish by rule the qualifications, conditions and licensing standards and procedures for the certification of individuals to act as operators.

The Department of Environmental Protection may allow an operator to review with department staff an operator certification test that the operator has completed in order to identify subject areas for which questions were answered incorrectly and further study is advisable.

**Sec. A-3. 32 MRSA §4179, first ¶**, as amended by PL 1989, c. 890, Pt. A, §7 and affected by §40, is further amended to read:

The ~~Board of Environmental Protection~~ commissioner shall adopt rules ~~which that~~ include, but are not limited to, provisions establishing the basis for classification of treatment plants in accordance with section 4172 and provisions establishing requirements for certification and procedures for examination of candidates.

**Sec. A-4. 38 MRSA §342, sub-§11-B**, as amended by PL 2011, c. 538, §2, is further amended to read:

**11-B. Revoke or suspend licenses and permits.** ~~After~~ Notwithstanding Title 5, section 10051, after written notice and opportunity for a hearing pursuant to Title 5, chapter 375, subchapter 4, the commissioner may ~~act to~~ revoke or suspend a license whenever the commissioner finds that:

- A. The licensee has violated any condition of the license;
- B. The licensee has obtained a license by misrepresenting or failing to disclose fully all relevant facts;
- C. The licensed discharge or activity poses a threat to human health or the environment;
- D. The license fails to include any standard or limitation legally required on the date of issuance;
- E. There has been a change in any condition or circumstance that requires revocation or suspension of a license;
- F. There has been a change in any condition or circumstance that requires a corrective action or a temporary or permanent modification of the terms of the license;
- G. The licensee has violated any law administered by the department; or
- H. The license fails to include any standard or limitation required pursuant to the federal Clean Air Act Amendments of 1990.

For the purposes of this subsection, "license" includes any license, permit, order, approval or certification issued by the department and "licensee" means the holder of the license.

**Sec. A-5. 38 MRSA §347-C**, as amended by PL 1997, c. 794, Pt. A, §6, is repealed and the following enacted in its place:

**§347-C. Right of inspection and entry**

Employees and agents of the department may:

**1. Property.** Enter any property at reasonable hours in order to inspect the property to take samples, inspect records relevant to any regulated activity or conduct tests as appropriate to determine compliance with any laws administered by the department or the terms and conditions of any order, regulation, license, permit, approval or decision of the commissioner or of the board; and

**2. Buildings.** Enter any building with the consent of the property owner, occupant or agent, or pursuant to an administrative search warrant, in order to inspect the property or structure, including the premises of an industrial user of a publicly owned treatment

works, and to take samples, inspect records relevant to any regulated activity or conduct tests as appropriate to determine compliance with any laws administered by the department or the terms and conditions of any order, regulation, license, permit, approval or decision of the commissioner or of the board.

**Sec. A-6. 38 MRSA §361-A, sub-§1-J**, as amended by PL 2009, c. 121, §6, 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, ~~2009~~ 2016.

**Sec. A-7. 38 MRSA §361-A, sub-§1-K**, as amended by PL 2009, c. 121, §7, 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, ~~2009~~ 2016.

**Sec. A-8. 38 MRSA §411, 5th ¶**, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §24, is further amended to read:

State grant-in-aid participation under this section is limited to grants for waste treatment facilities, interceptor systems and collector systems and outfalls. The word "expense" does not include costs relating to land acquisition or debt service, unless allowed under federal statutes and regulations.

**Sec. A-9. 38 MRSA §420, sub-§1-B, ¶C**, as enacted by PL 2001, c. 418, §3, is amended to read:

C. The department may establish a site-specific bioaccumulation factor for mercury when there is sufficient information to indicate that a site-specific bioaccumulation factor will be protective of human health and wildlife. A site-specific bioaccumulation factor may only be established:

- (1) As part of a licensing proceeding pursuant to section 413 by the ~~board~~ department; or
- (2) As part of a remediation or corrective action plan, license or order approved either by the department pursuant to section 1301, 1304, 1319, 1364 or 1365, or by the United States Environmental Protection Agency under federal law with the concurrence of the department.

**Sec. A-10. 38 MRSA §420, sub-§2**, as amended by PL 2011, c. 194, §2, is further amended to read:

**2. Toxic or hazardous substances.** Any other toxic substance in any amount or concentration greater

than that identified or regulated, including complete prohibition of such substance, by the board department. In identifying and regulating such toxic substances, the board department shall take into account the toxicity of the substance, its persistence and degradability, the usual or potential presence of any organism affected by such substance in any waters of the State, the importance of such organism and the nature and extent of the effect of such substance on such organisms, either alone or in combination with substances already in the receiving waters or the discharge. As used in this subsection, "toxic substance" shall mean means those substances or combination of substances, including disease-causing disease-causing agents, ~~which that~~ after discharge or upon exposure, ingestion, inhalation or assimilation into any organism, including humans either directly through the environment or indirectly through ingestion through food chains, will, on the basis of information available to the board department either alone or in combination with other substances already in the receiving waters or the discharge, cause death, disease, abnormalities, cancer, genetic mutations, physiological malfunctions, including malfunctions in reproduction, or physical deformations in such organism or ~~their its~~ offspring.

A. Except as naturally occurs or as provided in paragraphs B and C, the board department shall regulate toxic substances in the surface waters of the State at the levels set forth in federal water quality criteria as established by the United States Environmental Protection Agency pursuant to the Federal Water Pollution Control Act, Public Law 92-500, Section 304(a), as amended.

B. The board department may change the statewide criteria established under paragraph A for a particular toxic substance established pursuant to the Federal Water Pollution Control Act, Public Law 92-500, Section 304(a), as amended, as follows:

- (1) By adopting site-specific numerical criteria for the toxic substance to reflect site-specific circumstances different from those used in, or any not considered in, the derivation of the statewide criteria. The board department shall adopt site-specific numerical criteria only as part of a licensing proceeding pursuant to sections 413, 414 and 414-A; or
- (2) By adopting alternative statewide criteria for the toxic substance. The alternative statewide criteria must be adopted by rule.

The board department may substitute site-specific criteria or alternative statewide criteria for the criteria established in paragraph A only upon a finding that the site-specific criteria or alternative statewide criteria are based on sound scientific rationale and are protective of the most sensitive designated use of the water body, including, but

not limited to, human consumption of fish and drinking water supply after treatment.

C. When surface water quality standards are not being met due to the presence of a toxic substance for which no water quality criteria have been established pursuant to the Federal Water Pollution Control Act, Section 304(a), as amended, the board department shall:

- (1) Adopt statewide numerical criteria by rule; or
- (2) Adopt site-specific numerical criteria as part of a licensing proceeding under sections 413, 414 and 414-A.

Nothing in this section restricts the authority of the board department to adopt, by rule, statewide or site-specific numerical criteria for toxic substances that are not presently causing water quality standards to be violated.

D. For any criteria established under this subsection, the board department shall establish the acceptable level of additional risk of cancer to be borne by the affected population from exposure to the toxic substance believed to be carcinogenic.

E. In regulating substances that are toxic to humans, including any rulemaking to regulate these substances, the board department shall consider any information provided by the Department of Health and Human Services.

F. The Department of Health and Human Services may request that the board department adopt or revise the statewide or site-specific criteria for any toxic substance based on the need to protect public health. If the request is filed with the board department, the board department may propose a rule and initiate a rule-making proceeding. The board department shall incorporate in its proposal for rulemaking under this paragraph the statewide or site-specific criteria recommended by the Department of Health and Human Services.

G. Numeric water quality criteria for 2, 3, 7, 8-tetrachlorodibenzo-p-dioxin established by the United States Environmental Protection Agency under the Federal Water Pollution Control Act, Public Law 92-500, Section 304(a), as amended, do not apply until June 1, 1991, and only apply on that date if the board department has not adopted through rulemaking or individual licensing proceedings under this section alternative numeric water quality criteria for 2, 3, 7, 8-tetrachlorodibenzo-p-dioxin. Pursuant to section 414-A, subsection 2, the board department shall establish schedules for compliance with criteria established under this section. These schedules must be consistent with the compliance deadlines established under the Federal Water Pollution

Control Act, Public Law 92-500, Section 304(l), as amended.

H. Notwithstanding paragraphs D and G, the ~~board~~ department may not adopt any numeric water quality criteria for, or acceptable level of additional cancer risk from exposure to, 2, 3, 7, 8-tetrachlorodibenzo-p-dioxin prior to January 1, 1994.

I. Notwithstanding any other provision of this section, the following standards apply only to a bleach kraft pulp mill, referred to in this paragraph as a "mill."

(1) After July 31, 1998, a mill may not have a detectable quantity of 2, 3, 7, 8-tetrachlorodibenzo-p-dioxin as measured in any internal waste stream of its bleach plant. For purposes of compliance, the detection level is 10 picograms per liter, unless the department adopts a lower detection level by rule, which is a routine technical rule pursuant to Title 5, chapter 375, subchapter 2-A, or a lower detection level by incorporation of a method in use by the United States Environmental Protection Agency.

(2) After December 31, 1999, a mill may not have a detectable quantity of 2, 3, 7, 8-tetrachlorodibenzo-p-furan as measured in any internal waste stream of its bleach plant. The commissioner may extend this time frame up to 6 months for a mill if the commissioner determines, based on information presented by the mill, that compliance is not achievable by the deadline due to engineering constraints, availability of equipment or other justifiable technical reasons. For purposes of compliance, the detection level is 10 picograms per liter, unless the department adopts a lower level of detection by rule, which is a routine technical rule pursuant to Title 5, chapter 375, subchapter 2-A, or a lower detection level by incorporation of a method in use by the United States Environmental Protection Agency. If a mill fails to achieve this requirement, as documented by confirmatory sampling, it shall conduct a site-specific evaluation of feasible technologies or measures to achieve it. This evaluation must be submitted to the commissioner within 6 months of the date of confirmatory sampling and include a timetable for implementation, acceptable to the commissioner, with an implementation date no later than December 31, 2002. The commissioner may establish a procedure for confirmatory sampling.

(3) After December 31, 2002, a mill may not discharge dioxin into its receiving waters. For purposes of this subparagraph, a mill is

considered to have discharged dioxin into its receiving waters if 2, 3, 7, 8-tetrachlorodibenzo-p-dioxin or 2, 3, 7, 8-tetrachlorodibenzo-p-furan is detected in any of the mill's internal waste streams of its bleach plant and in a confirmatory sample at levels exceeding 10 picograms per liter, unless the department adopts a lower detection level by rule, which is a routine technical rule pursuant to Title 5, chapter 375, subchapter 2-A, or a lower detection level by incorporation of a method in use by the United States Environmental Protection Agency, or if levels of dioxin, as defined in section 420-B, subsection 1-A, paragraph A detected in fish tissue sampled below the mill's wastewater outfall are higher than levels in fish tissue sampled at an upstream reference site not affected by the mill's discharge or on the basis of a comparable surrogate procedure acceptable to the commissioner. The commissioner shall consult with the technical advisory group established in section 420-B, subsection 1, paragraph B, subparagraph (5) in making this determination and in evaluating surrogate procedures. The fish-tissue sampling test must be performed with differences between the average concentrations of dioxin in the fish samples taken upstream and downstream from the mill measured with at least 95% statistical confidence. If the mill fails to meet the fish-tissue sampling-result requirements in this subparagraph and does not demonstrate by December 31, 2004 and annually thereafter to the commissioner's satisfaction that its wastewater discharge is not the source of elevated dioxin concentrations in fish below the mill, then the commissioner may pursue any remedy authorized by law.

(4) For purposes of documenting compliance with subparagraphs (1) and (2) the internal waste stream of a bleach plant must be sampled twice per quarter by the mill. The department may conduct its own sampling and analysis of the internal waste stream of a bleach plant. Analysis of the samples must be conducted by a 3rd-party laboratory using methodology approved by the United States Environmental Protection Agency. A mill shall report to the department for informational purposes the actual laboratory results including sample detection limits on a frequency to be established by the commissioner.

The commissioner shall assess the mill for the costs of any sampling performed by the department and any analysis performed for the department under this paragraph and credit

funds received to the Maine Environmental Protection Fund.

The commissioner may reduce the frequency of sampling required by a mill after 3 consecutive years of sampling have demonstrated the mill does not have a detectable quantity of 2, 3, 7, 8-tetrachlorodibenzo-p-dioxin or 2, 3, 7, 8-tetrachlorodibenzo-p-furan.

J. Notwithstanding any other provision of law to the contrary, the department shall use a one in 10,000 risk level when calculating ambient water quality criteria for inorganic arsenic.

**Sec. A-11. 38 MRSA §490-Y, first ¶**, as amended by PL 2007, c. 297, §9, is further amended to read:

Except as provided in section 484-A, a person intending to create or operate a quarry under this article must file a notice of intent to comply before the total area of excavation of rock or overburden on the parcel exceeds one acre excavated since January 1, 1970. Both reclaimed and unreclaimed areas are added together in determining whether this one-acre threshold is exceeded. A notice filed under this section must be complete, submitted on forms approved by the department and mailed to the municipality where the quarry is located, the department, the Maine Historic Preservation Commission and each abutting property owner. The notice that is mailed to the municipality and each abutting property owner must be sent by certified mail at least 7 days before the notice of intent to comply is filed with the regulator. The notice that is mailed to the department must be sent by certified mail, return receipt requested. Upon receiving the postal receipt, the owner or operator may commence operation of the quarry. The municipality where the proposed quarry is located may submit comments to the department if the proposed quarry may pose an unreasonable adverse impact under the standards in section 490-Z. Within 30 days of receipt of the notice of intent to comply, the department shall respond to the comments made by the municipality. Abutting property owners, the Maine Historic Preservation Commission or other interested persons may submit comments directly to the department.

**Sec. A-12. 38 MRSA §496-A, 2nd ¶**, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §104, is further amended to read:

The commission may administer programs of training and certification for such personnel, and may make classifications thereof. Any certificate issued by the commission ~~shall~~ must be accepted by this State and all agencies and subdivisions ~~thereof~~ of the State as conclusive evidence that the holder has the training, education and experience necessary for certification for the class of position or responsibility described ~~therein~~ in the certificate. The ~~Board of Environmental~~

~~Protection may impose and the~~ Commissioner of Environmental Protection may administer any other requirements for certification within any applicable provisions of law, but the commissioner ~~shall~~ may not reexamine or reinvestigate the applicant for a certificate with respect to the applicant's training, education or experience qualifications.

**Sec. A-13. 38 MRSA §568-A, sub-§3**, as enacted by PL 1989, c. 865, §15 and affected by §§24 and 25, is amended to read:

**3. Exemptions from deductible.** The commissioner may waive the deductible requirement for an applicant's personal residence if the commissioner determines that the applicant does not have the financial resources to pay the deductible. The ~~board~~ commissioner shall adopt rules to determine the standards to be used to assess an applicant's ability to pay this deductible.

**Sec. A-14. 38 MRSA §3102, sub-§9**, as enacted by PL 2015, c. 166, §14, is amended to read:

**9. 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%~~ 8.5% alcohol by volume.

## PART B

**Sec. B-1. 38 MRSA §465-A, first ¶**, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §64, is further amended to read:

The department shall have one standard for the classification both of great ponds and of natural lakes and ponds less than 10 acres in size. Impoundments of rivers that are defined as great ponds pursuant to section 480-B are classified as GPA or as specifically provided in sections 467 and 468.

**Sec. B-2. 38 MRSA §465-A, sub-§1**, as amended by PL 2013, c. 193, §4, is further amended to read:

**1. Class GPA waters.** Class GPA ~~shall be~~ is the sole classification both of great ponds and of natural lakes and ponds ~~and lakes~~ less than 10 acres in size.

A. Class GPA waters must be of such quality that they are suitable for the designated uses of drinking water after disinfection, recreation in and on the water, fishing, agriculture, industrial process and cooling water supply, hydroelectric power generation, navigation and as habitat for fish and other aquatic life. The habitat must be characterized as natural.

B. Class GPA waters must be described by their trophic state based on measures of the chlorophyll "a" content, Secchi disk transparency, total phosphorus content and other appropriate criteria.

Class GPA waters must have a stable or decreasing trophic state, subject only to natural fluctuations, and must be free of culturally induced algal blooms that impair their use and enjoyment. The number of *Escherichia coli* bacteria of human and domestic animal origin in these waters may not exceed a geometric mean of 29 per 100 milliliters or an instantaneous level of 194 per 100 milliliters.

C. There may be no new direct discharge of pollutants into Class GPA waters. The following are exempt from this provision:

- (1) Chemical discharges for the purpose of restoring water quality approved by the department;
- (2) Aquatic pesticide or chemical discharges approved by the department and conducted by the department, the Department of Inland Fisheries and Wildlife or an agent of either agency for the purpose of restoring biological communities affected by an invasive species;
- (3) Storm water discharges that are in compliance with state and local requirements;
- (4) Discharges of aquatic pesticides approved by the department for the control of mosquito-borne diseases in the interest of public health and safety using materials and methods that provide for protection of non-target species. When the department issues a license for the discharge of aquatic pesticides authorized under this subparagraph, the department shall notify the municipality in which the application is licensed to occur and post the notice on the department's publicly accessible website; and
- (5) Discharges of pesticides approved by the department that are:
  - (a) Unintended and an incidental result of the spraying of pesticides;
  - (b) Applied in compliance with federal labeling restrictions; and
  - (c) Applied in compliance with statute, Board of Pesticides Control rules and best management practices.

Discharges into these waters licensed prior to January 1, 1986 are allowed to continue only until practical alternatives exist. Materials may not be placed on or removed from the shores or banks of a Class GPA water body in such a manner that materials may fall or be washed into the water or that contaminated drainage may flow or leach into those waters, except as permitted pursuant to section 480-C. A change of land use in the watershed of a Class GPA water body may not, by itself

or in combination with other activities, cause water quality degradation that impairs the characteristics and designated uses of downstream GPA waters or causes an increase in the trophic state of those GPA waters.

**Sec. B-3. 38 MRSA §467, sub-§3, ¶B**, as amended by PL 2005, c. 330, §11, is further amended to read:

B. East Machias River, tributaries - Class A unless otherwise specified.

- (1) All tributaries entering below the Route 191 bridge in Jacksonville, except as specified in subparagraph (7) - Class B.
- (2) Beaverdam Brook, also known as Beaverdam Stream - Class AA.
- (3) Seavey Brook in Crawford - Class AA.
- (4) Harmon Brook in Crawford - Class AA.
- (5) Northern Stream in Township 19 Eastern Division - Class AA.
- (6) Creamer Brook in Township 19 Eastern Division - Class AA.
- (7) Clifford Brook, also known as Clifford Stream, in Marion Township - Class AA.

**Sec. B-4. 38 MRSA §467, sub-§5, ¶B**, as amended by PL 2003, c. 663, §3, is further amended to read:

B. Machias River, tributaries - Class A unless otherwise specified.

- (1) All tributaries entering below Route 1A in Whitneyville - Class B.
- (2) Mopang Stream, from the outlet of Mopang Second Lake to its confluence with the Machias River - Class AA.
- (3) Old Stream, from the outlet of First Lake to its confluence with the Machias River - Class AA.
- (4) West Branch of the Machias River, from the outlet of Lower Sabao Lake to its confluence with the Machias River - Class AA.
- (5) New Stream, in Northfield and Wesley - Class AA.
- (6) Crooked Stream, also known as Crooked River - Class AA.
- (7) Fletcher Brook in Township 36 Middle Division - Class AA.
- (8) Magazine Brook in Township 43 Middle Division - Class AA.
- (9) Bowles Brook in Day Block Township ~~31 Middle Division~~ - Class AA.

(10) Chain Lakes Stream in Day Block Township 34 - Class AA.

(11) Pembroke Stream in Day Block Township 34 Middle Division - Class AA.

(12) Holmes Brook in Northfield - Class AA.

(13) Bog Brook - Class AA.

(14) Pineo Brook in Wesley - Class AA.

(15) Black Brook in Township 25 Middle Division - Class AA.

**Sec. B-5. 38 MRSA §467, sub-§5-A, ¶A**, as enacted by PL 1993, c. 32, §1, is amended to read:

A. Medomak River, main stem.

(1) From its source in the Town of Liberty to the Wagner Bridge Road in the Town of Waldoboro - Class A.

(2) From the Wagner Bridge Road in the Town of Waldoboro to ~~the bridge at old Route 1~~ tidewater - Class B.

**Sec. B-6. 38 MRSA §467, sub-§6-A, ¶B**, as amended by PL 2003, c. 317, §11, is further amended to read:

B. Narraguagus River, tributaries - Class A unless otherwise specified.

(1) All tributaries entering below the river's confluence with the West Branch - Class B.

(2) West Branch of the Narraguagus River in T.22 M.D. B.P.P., T.16 M.D. B.P.P., T.10 S.D. B.P.P. and Cherryfield - Class AA.

(3) Baker Brook - Class AA.

(4) Pork Brook - Class AA.

(5) Schoodic Brook - Class AA.

(6) Shorey Brook - Class AA.

(7) West Branch Stream in Township 34 Middle Division - Class AA.

(8) Gould Brook in Township 28 Middle Division - Class AA.

(9) Rocky Brook in Devereaux Township - Class AA.

(10) Sinclair Brook in Devereaux Township - Class AA.

(11) Humpback Brook in Township 28 Middle Division - Class AA.

(12) Little Narraguagus River in Township 22 Middle Division - Class AA.

(13) Great Falls Branch downstream of Route 193 in Deblois, excluding any tributaries - Class AA.

(14) Lawrence Brook - Class AA.

**Sec. B-7. 38 MRSA §467, sub-§7, ¶F**, as amended by PL 2009, c. 163, §6, 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, also known as Narramissic River, in Bucksport and Orland, including all impoundments - Class B.

**Sec. B-8. 38 MRSA §467, sub-§9, ¶B**, as amended by PL 2009, c. 163, §7, 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 - Class AA.
- (3) Stevens Brook (Bridgton) - Class B.
- (4) Mile Brook, also known as Mill Brook, (Casco) - Class B.

**Sec. B-9. 38 MRSA §467, sub-§15, ¶C**, as amended by PL 2009, c. 163, §10, 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~~ Scopan Stream from the outlet of ~~Squa Pan~~ Scopan 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. B-10. 38 MRSA §467, sub-§15, ¶F**, as amended by PL 2009, c. 163, §11, 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 Stream and Baker Branch of the St. John River, from the headwaters at the Upper First St. John Ponds Pond to its their 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. B-11. 38 MRSA §468, sub-§1**, as amended by PL 2009, c. 163, §§13 to 17, is further amended to read:

**1. Cumberland County.** Those waters draining directly or indirectly into tidal waters of Cumberland County, with the exception of the Androscoggin River Basin, the Presumpscot River Basin, the Royal River Basin and tributaries of the Androscoggin River Estuary and Merrymeeting Bay; entering above the Chops (Woolwich and Bath, Sagadahoc County) - Class B unless otherwise specified.

A. Freeport.

(1) Frost Gully Brook - Class A.

A-1. Cape Elizabeth.

(1) Trout Brook, those waters that form the town boundary with South Portland - Class C.

B. Portland.

(1) All minor drainages unless otherwise specified - Class C.

(2) Stroudwater River from its origin to tidewater, including all tributaries - Class B.

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) Tributaries of Stroudwater River from its origin to tidewater, including all tributaries - Class B.

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.

J. Westbrook.

(1) Long Creek, main stem - Class C.

**Sec. B-12. 38 MRSA §468, sub-§4**, as amended by PL 2009, c. 163, §18, is further amended to read:

**4. Lincoln County.** Those waters draining directly or indirectly into tidal waters of Lincoln County ~~entering above the Chops~~, with the exception of the Sheepscot River Basin and tributaries of the Kennebec River Estuary and Merrymeeting Bay entering above the Chops (Woolwich and Bath, Sagadahoc County) - Class B unless otherwise specified.

D. Bristol.

(1) Pemaquid River and its tributaries, all freshwater sections below Pemaquid Pond - Class A.

**Sec. B-13. 38 MRSA §468, sub-§5, ¶C**, as enacted by PL 1999, c. 277, §23, is repealed.

**Sec. B-14. 38 MRSA §468, sub-§6**, as repealed and replaced by PL 1989, c. 764, §21, is amended to read:

**6. Sagadahoc County.** Those waters draining directly or indirectly into tidal waters of Sagadahoc County ~~entering above the Chops~~, with the exception of tributaries of the Androscoggin River Estuary, the Kennebec River Estuary and Merrymeeting Bay entering above the Chops - Class B unless otherwise specified.

**Sec. B-15. 38 MRSA §468, sub-§7, ¶G** is enacted to read:

G. Winterport.

(1) Cove Brook, those waters above head of tide - Class AA.

**Sec. B-16. 38 MRSA §469, sub-§1**, as amended by PL 2011, c. 206, §11, is further amended to read:

**1. Cumberland County.** All estuarine and marine waters lying within the boundaries of Cumberland County and that are not otherwise classified are Class SB waters.

A. Cape Elizabeth.

(1) Tidal waters of the Spurwink River system lying north of a line at latitude 43°-33'-44" N. - Class SA.

~~B. Cumberland.~~

~~(1) Tidal waters located within a line beginning at a point located on the Cumberland-Portland boundary at approximately latitude 43°41'18"N., longitude 70°05'48"W. and running northeasterly to a point located on the Cumberland-Harpswell boundary at approximately latitude 43°42'57"N., longitude 70°03'50"W.; thence running southwesterly along the Cumberland-Harpswell boundary to a point where the Cumberland, Harpswell and Portland boundaries meet; thence running northeasterly along the Cumberland-Portland boundary to point of beginning - Class SA.~~

#### B-1. Chebeague Island.

(1) Tidal waters of the Town of Chebeague Island located within the area described by the following points: from a point located at latitude 43° - 38'-21" N., longitude 70° - 00'-20" W.; thence running due west to a point located at latitude 43° - 38'-21" N., longitude 70° - 01'-28" W.; thence running northwesterly to a point located at latitude 43° - 41'-17" N., longitude 70° - 05'-43" W.; thence running northeasterly to a point located at latitude 43° - 42'-57" N., longitude 70° - 03'-48" W.; thence running southeasterly to point of beginning - Class SA.

#### C. Falmouth.

(1) Tidal waters of the Town of Falmouth located westerly and northerly, to include the Presumpscot estuary, of a line running from the southernmost point of Mackworth Island; thence running northerly along the western shore of Mackworth Island and the Mackworth Island Causeway to a point located where the causeway joins Mackworth Point - Class SC.

#### D. Harpswell.

~~(1) Tidal waters of the Town of Harpswell located within a line beginning at a point located on the Cumberland-Harpswell boundary at approximately latitude 43° - 42'-57" N., longitude 70° - 03' 50" W. and running northeasterly to a point located at latitude 43° - 43'-08" N., longitude 70° - 03'-36" W.; thence running southeasterly to a point located at latitude 43° - 42' 02" N., longitude 70° - 00' 00" W.; thence running due south to the Harpswell-Portland boundary; thence running northwesterly along the Harpswell-Portland boundary to a point where the Cumberland, Harpswell and Portland boundaries meet; thence running northwesterly along the Cumberland-Harpswell boundary the area described by the following points: from a point located at latitude 43° - 38'-21" N., longitude~~

70° - 00'-00" W.; thence running due west to a point located at latitude 43° - 38'-21" N., longitude 70° - 00'-20" W.; thence running northwesterly to a point located at latitude 43° - 42'-57" N., longitude 70° - 03'-48" W.; thence running northeasterly to a point located at latitude 43° - 43'-08" N., longitude 70° - 03'-36" W.; thence running southeasterly to a point located at latitude 43° - 42'-02" N., longitude 70° - 00'-00" W.; thence running due south to point of beginning - Class SA.

#### D-1. Long Island.

(1) Tidal waters of the Town of Long Island located within the area described by the following points: from a point located at latitude 43° - 38'-21" N., longitude 70° - 05'-00" W.; thence running due west to a point located at latitude 43° - 38'-21" N., longitude 70° - 08'-52"; thence running northwesterly to a point located at latitude 43° - 38'-27" N., longitude 70° - 08'-58" W.; thence running northeasterly to a point located at latitude 43° - 40'-08" N., longitude 70° - 07'-03" W.; thence running southeasterly to point of beginning - Class SA.

#### E. Portland.

~~(1) Tidal waters of the City of Portland located within a line beginning at a point located on the Cumberland-Portland boundary at approximately latitude 43° - 41' 18" N., longitude 70° - 05' 48" W. and running south-easterly along the Cumberland-Portland boundary to a point where the Cumberland, Harpswell and Portland boundaries meet; thence running southeasterly along the Harpswell-Portland boundary to longitude 70° - 00' 00" W.; thence running due south to a point located at latitude 43° - 38' 21" N., longitude 70° - 00' 00" W.; thence running due west to a point located at latitude 43° - 38' 21" N., longitude 70° - 09' 06" W.; thence running northeasterly the area described by the following points: from a point located at latitude 43° - 38'-21" N., longitude 70° - 01'-28" W.; thence running due west to a point located at latitude 43° - 38'-21" N., longitude 70° - 05'-00" W.; thence running northwesterly to a point located at latitude 43° - 40'-08" N., longitude 70° - 07'-03" W.; thence running northeasterly to a point located at latitude 43° - 41'-17" N., longitude 70° - 05'-43" W.; thence running southeasterly to point of beginning - Class SA.~~

(2) Tidal waters of the City of Portland lying northwesterly westerly of a line beginning at Spring Point Light in South Portland to the

easternmost point of Fort Gorges Island, thence running northerly to the southernmost point of Mackworth Island - Class SC.

(3) Tidal waters of the City of Portland located within the area described by the following points: from a point located at latitude 43° - 38'-21" N., longitude 70° - 08'-52"; thence running due west to a point located at latitude 43° - 38'-21" N., longitude 70° - 09'-06"; thence running northeasterly to a point located at latitude 43° - 38'-27" N., longitude 70° - 08'-58" W.; thence running southeasterly to point of beginning - Class SA.

E-1. Scarborough.

(1) Tidal waters of the Scarborough River system lying north of a line running easterly from a point where the old Boston and Maine Railroad line intersects the marsh at latitude 43°-33'-06" N., longitude 70°-20'-58" W. to a point of land north of Black Rock at latitude 43°-33'-06" N., longitude 70°-19'-25" W., excluding those tidal waters of Phillips Brook lying upstream of a point 500 feet south of U.S. Route 1 - Class SA.

(2) Tidal waters of the Spurwink River system lying north of a line extending from Higgins Beach at latitude 43°-33'-44" N. to the town line - Class SA.

F. South Portland.

(1) Tidal waters of the City of South Portland lying westerly of a line beginning at Spring Point Light to the easternmost point of Fort Gorges Island in Portland - Class SC.

**Sec. B-17. 38 MRSA §469, sub-§2, ¶A-1**, as enacted by PL 2003, c. 317, §23, is amended to read:

A-1. Brooksville.

(1) Tidal waters of the Bagaduce River lying southerly easterly of a line running due south from the westernmost point of Young's Island (Penobscot) - Class SA.

**Sec. B-18. 38 MRSA §469, sub-§2, ¶D**, as amended by PL 1999, c. 277, §28 and affected by §31, is further amended to read:

D. Mount Desert.

(1) Tidal waters, except those lying within 500 feet of privately owned shoreline, lying northerly of latitude 44° - 16'-36" N. and easterly of longitude 68° - 13'-08" W. - Class SA.

(2) Tidal waters of Somes Sound lying northerly of a line beginning at a point located at the Acadia National Park boundary at latitude 44° - 18'-18" N., longitude 68° - 18'-

42" W. and running northeasterly to a point located at the Acadia National Park boundary at latitude 44° - 18'-54" N., longitude 68° - 18'-22" W., except those waters of Broad Cove lying west of a line running from the point of land immediately south of the cove northerly to Navigation Can #7 ~~and those waters lying within 500 feet of overboard discharges licensed as of January 1, 1999 - Class SA.~~

~~(3) Tidal waters of Somes Sound lying within 500 feet of overboard discharges licensed as of January 1, 1999 - Class SA.~~

**Sec. B-19. 38 MRSA §469, sub-§3, ¶¶B and C**, as enacted by PL 1985, c. 698, §15, are amended to read:

B. Owls Head.

(1) Tidal waters lying westerly of a line running between the southernmost point of land on Jameson Point, Rockland and the northernmost point of land on Battery Point - Class SC.

C. Rockland.

(1) Tidal waters lying westerly of a line running between the southernmost point of land on Jameson Point and the northernmost point of land on Battery Point, Owls Head - Class SC.

**Sec. B-20. 38 MRSA §469, sub-§5, ¶B**, as amended by PL 2011, c. 206, §11, is further amended to read:

B. Phippsburg.

(1) Offshore waters east of longitude 69°-50'-05" W. and west of longitude 69°-47'-00" W., including the tidal waters of the Morse River and the Sprague River, - Class SA.

(2) Tidal waters of The Basin, including The Narrows east of a line drawn between longitude 69°-51'-57" W. and 43° 48' 14" N. - Class SA.

(3) Tidal waters of the Kennebec River in Phippsburg within 500 feet of shore, beginning at a point of land at the head of Atkins Bay located at longitude 69°-48'-14" W. and latitude 43°-44'-40.4" N. and extending along the southeast shore of Atkins Bay to a point 500 feet off Fort Popham located at longitude 69°-47'-00" W. and latitude 43°-45'-23.89" N. - Class SA.

See title page for effective date.

**CHAPTER 138**  
**H.P. 324 - L.D. 457**

**An Act To Repeal the Sunset  
Date on the Children's  
Guardians Ad Litem Law**

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

**Whereas,** the laws implementing necessary reforms to the procedures for appointment, qualification and oversight of children's guardians ad litem are scheduled to be repealed on October 1, 2017, and that date will likely pass before the 90-day period expires; 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. 4 MRSA §1558,** as enacted by PL 2013, c. 406, §1, is repealed.

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

Effective June 7, 2017.

**CHAPTER 139**  
**H.P. 763 - L.D. 1085**

**An Act To Amend the  
Requirements for Licensure as  
an Independent Practice  
Dental Hygienist**

**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 is experiencing a critical shortage of licensed dentists, especially in rural areas of the State; and

**Whereas,** this legislation removes a statutory barrier that currently prevents or delays certain dental hygienists from obtaining authority to open independent practices in this 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. 32 MRSA §18345, sub-§2, ¶A,** as enacted by PL 2015, c. 429, §21, is amended to read:

A. For independent practice dental hygienist authority: verification of 2,000 work hours of clinical practice.

~~(1) If the applicant has a bachelor's degree or higher in dental hygiene from a dental hygiene program accredited by the American Dental Association Commission on Dental Accreditation or its successor organization; verification of 2,000 work hours of clinical practice during the 4 years preceding the application; or~~

~~(2) If the applicant has an associate degree in dental hygiene from a dental hygiene program accredited by the American Dental Association Commission on Dental Accreditation or its successor organization; verification of 5,000 work hours of clinical practice during the 6 years preceding the application.~~

For purposes of meeting the clinical practice requirements of this paragraph, the applicant's hours in a private dental practice or nonprofit setting under the supervision of a dentist may be included as well as the applicant's hours as a public health dental hygienist or, prior to ~~the effective date of this Act~~ July 29, 2016, as a dental hygienist with public health supervision status;

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

Effective June 7, 2017.

**CHAPTER 140**  
**H.P. 43 - L.D. 56**

**An Act To Include 50 Milliliter  
and Smaller Liquor Bottles in  
the Laws Governing  
Returnable Containers**

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

**Sec. 1. 38 MRSA §3103, sub-§4,** as enacted by PL 2015, c. 166, §14, is amended to read:

**4. Wine and spirits containers.** For wine and spirits containers of 50 milliliters or less, the refund

value may not be more than 5¢. For wine and spirits containers of greater than 50 milliliters, the refund value may not be less than 15¢.

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

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Alcoholic Beverages - General Operation 0015**

Initiative: Provides an allocation for additional contract costs for the spirits administration contract to include redemption of 50 milliliter bottles, which is not included in the current contract.

STATE ALCOHOLIC BEVERAGE FUND	2017-18	2018-19
All Other	\$580,000	\$862,763
STATE ALCOHOLIC BEVERAGE FUND TOTAL	\$580,000	\$862,763

**Sec. 3. Effective date.** That section of this Act that amends the Maine Revised Statutes, Title 38, section 3103, subsection 4 takes effect January 1, 2019.

See title page for effective date, unless otherwise indicated.

**CHAPTER 141**

**H.P. 230 - L.D. 297**

**An Act To Improve the Administration of Election Recounts**

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

**Sec. 1. 21-A MRSA §696, sub-§2, ¶E,** as amended by PL 2009, c. 253, §32, is further amended to read:

E. If a voter writes in a write-in space the name of a person who has not filed a declaration of write-in candidacy as provided by section 722-A, the vote for that office may not be counted ~~except in accordance with section 737-A, subsection 2-A.~~

**Sec. 2. 21-A MRSA §722, sub-§1,** as amended by IB 2015, c. 3, §4, is further amended to read:

**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. For offices elected by ranked-choice voting, the Secretary of State shall tabu-

late the votes according to the ranked-choice voting method described in section 723-A. 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.

**Sec. 3. 21-A MRSA §737-A, first ¶,** as amended by PL 2015, c. 447, §27, is further amended to read:

Once a recount is requested for an election for the office of State Senator or State Representative or for a county office that does not encompass more than one county, the Secretary of State shall notify the State Police, who shall take physical control of all ballots and related materials involved in the recount as soon as possible, ~~except that~~. When a recount is requested for a statewide office or congressional office or statewide referendum or an office or referendum for a county office that encompasses more than one county, the Secretary of State, ~~in agreement with the parties involved in the recount~~, may direct the State Police to retrieve ballots from certain voting jurisdictions so that the recount may be conducted in stages until the requesting candidate or the lead applicant for a referendum recount concedes or until all the ballots are recounted.

**Sec. 4. 21-A MRSA §737-A, sub-§1,** as amended by PL 2015, c. 447, §29, is further amended to read:

**1. Deposit for legislative or single county office recount.** This subsection applies to a recount for an election for the office of State Senator or State Representative or for a county office that does not encompass more than one county. 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 1.5% 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 1.5% 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. 5. 21-A MRSA §737-A, sub-§1-A** is enacted to read:

**1-A. Deposit for statewide or multicounty office recount.** This subsection applies to a recount for an office not described by subsection 1. A losing candidate who requests a recount must pay the deposit required by this subsection when the recount is requested. The amount of the deposit is calculated as follows.

A. If the difference shown by the official tabulation between the leading candidate and the requesting candidate is 1% or less of the total votes cast for that office or not more than 1,000 votes, whichever is less, a deposit is not required. A candidate who is not required to pay a deposit pursuant to this subsection may not be charged for the recount regardless of whether the procedure changes the result of the election.

B. If the difference shown by the official tabulation between the leading candidate and the requesting candidate is more than 1% of the total votes cast for that office or more than 1,000 votes, whichever is less, the deposit is \$5,000 or 10% of the reasonable estimate of the cost to the State of performing the first stage of the recount, whichever is greater. After completion of the recount, if the recount has not changed the result of the election, the Secretary of State shall calculate the actual cost of the procedure, which must be paid by the requesting candidate. If the deposit is greater than the actual cost, the overpayment must be refunded to the candidate. If the actual cost is greater than the deposit, the candidate shall pay

the remainder of the actual cost to the State. Once the State Police have taken custody of the ballots and other election materials for the first stage of the recount, the deposit made by the candidate requesting the recount is forfeited to the State even if the candidate withdraws from the recount before the recount begins. If a recount reverses the election, the deposit must be returned to the candidate requesting the recount.

**Sec. 6. 21-A MRSA §737-A, sub-§2**, as enacted by PL 1993, c. 473, §31 and affected by §46, is amended to read:

**2. Recount request.** If a ballot contains the names of state and local candidates or questions, the Secretary of State shall determine which requests for recount must be honored first when more than one request is presented. If a recount is requested for more than one office or referendum question that is included on the same ballot for one or more jurisdictions, the Secretary of State may determine a process for counting the ballots for both offices or questions simultaneously.

**Sec. 7. 21-A MRSA §737-A, sub-§2-A**, as enacted by PL 2009, c. 253, §43, is amended 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. 8. 21-A MRSA §738**, as amended by PL 1995, c. 506, §1 and affected by §3, is repealed and the following enacted in its place:

**§738. Statewide referendum ballots**

Except as provided by this section, the method of conducting a recount of a statewide referendum is governed by section 737-A. Appeal of challenged or disputed ballots is to the Supreme Judicial Court.

**1. Recount request.** To request a recount of a statewide referendum, a petition signed by 200 or more registered voters must be submitted to the Secretary of State within 8 business days after the election. The Secretary of State shall provide a petition form for this purpose to any registered voter in the State who requests it within 2 days of receiving the request.

**2. Deposit for recount.** A representative of the recount petitioners shall pay the deposit required by this section when the petition is submitted to the Secretary of State. The amount of the deposit is calculated as follows.

A. If the difference shown by the official tabulation between the yes and the no votes is 1% or less of the total votes cast for that question or not more than 1,000 votes, whichever is less, a deposit is not required. Petitioners who are not required to pay a deposit pursuant to this subsection may not be charged for the recount regardless of whether the procedure changes the result of the election.

B. If the difference shown by the official tabulation between the yes and the no votes is more than 1% of the total votes cast for that question or more than 1,000 votes, whichever is less, the deposit is \$5,000 or 10% of the reasonable estimate of the cost to the State of performing the first stage of the recount, whichever is greater. After the completion of the recount, if the recount has not changed the result of the election, the Secretary of State shall calculate the cost of the procedure, which must be paid by the petitioners. If the deposit is greater than the actual cost, the overpayment must be refunded to the petitioners. If the actual cost is greater than the deposit, the petitioners shall pay to the State the remainder of the actual cost. Once the State Police have taken custody of the ballots and other election materials for the first stage of the recount, the deposit made by the petitioners is forfeited to the State even if the petitioners withdraw from the recount before the recount begins. If a recount reverses the result of the election, the deposit must be returned to the petitioners.

**3. Order of recounts.** If a ballot contains state and local candidates or questions and a recount is requested, the Secretary of State shall determine which requests for recount must be honored first when more than one request is presented. If recounts are requested for more than one office or referendum question that is included on the same state ballot for one or more jurisdictions, the Secretary of State may determine a process for counting the ballots for both offices or questions simultaneously.

See title page for effective date.

## CHAPTER 142 S.P. 265 - L.D. 820

### An Act To Protect Maine's Clean Water and Taxpayers from Mining Pollution

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

**Sec. 1. 12 MRSA §549-B, sub-§7, ¶C-1** is enacted to read:

C-1. Notwithstanding any other provision of law to the contrary, the director of the agency having jurisdiction over the state lands on which a mining lease is sought may not grant a mining lease under this section that authorizes mining operations proposed to be located wholly or partially in, on or under any of the following state lands:

- (1) Designated lands under section 598-A;
- (2) Historic sites as defined in section 1801, subsection 5;
- (3) Parks as defined in section 1801, subsection 7;
- (4) Public reserved lands as defined in section 1801, subsection 8;
- (5) Submerged lands as defined in section 1801, subsection 9;
- (6) The Allagash Wilderness Waterway as established under chapter 220, subchapter 6; and
- (7) State-owned wildlife management areas acquired in accordance with section 10109, subsection 1.

**Sec. 2. 38 MRSA §490-MM, sub-§§5-A, 10-A, 10-B, 10-C and 13-A** are enacted to read:

**5-A. Dry stack tailings management.** "Dry stack tailings management" means the process of disposing of dewatered, compacted mine tailings into a freestanding, stable structure on an area with an impervious liner designed to shed water to a water collection and treatment system.

**10-A. Mine shaft.** "Mine shaft" means a vertical, inclined or horizontal excavation, including all underground workings, with a surface opening not exceeding 1,000 square feet.

**10-B. Mine waste.** "Mine waste" means all material, including, but not limited to, overburden, rock, lean ore, leached ore or tailings, that in the process of mining and beneficiation has been exposed or removed from the earth during advanced exploration and mining activities.

**10-C. Mine waste unit.** "Mine waste unit" means any land area, structure, location, equipment or combination thereof on or in which mine wastes are managed. A structure or area of land does not become a mine waste unit solely because it is used to store nonreactive mine wastes generated on the site, such as soil or overburden, for 90 days or less.

**13-A. Open-pit mining.** "Open-pit mining" means, for any single mining operation permitted under this article, the process of mining a metallic mineral deposit by use of surface pits or excavations having greater than 3 acres of surface area in aggregate or by means of a surface pit excavated using one or more horizontal benches.

**Sec. 3. 38 MRSA §490-MM, sub-§17,** as enacted by PL 2011, c. 653, §23 and affected by §33, is repealed and the following enacted in its place:

**17. Tailings impoundment.** "Tailings impoundment" means a surface area, contained by dikes or dams, on which is deposited the slurry of material that is separated from a metallic product in the beneficiation or treatment of minerals, including any surrounding dikes constructed to contain such material. "Tailings impoundment" does not include a lined surface area on which dewatered tailings are stacked.

**Sec. 4. 38 MRSA §490-MM, sub-§18** is enacted to read:

**18. Wet mine waste unit.** "Wet mine waste unit" means a mine waste unit in which mine wastes are placed under water to minimize sulfide oxidation, acid formation or particulate pollution.

**Sec. 5. 38 MRSA §490-NN, sub-§1, ¶B,** as enacted by PL 2011, c. 653, §23 and affected by §33, is amended to read:

B. In addition to other powers granted to it, the department shall adopt rules to carry out its duties under this article, including, but not limited to, standards for exploration, advanced exploration, construction, operation, closure, post-closure monitoring, reclamation and remediation. Except as otherwise provided, rules adopted under this article are major substantive rules for purposes of Title 5, chapter 375, subchapter 2-A and are subject to section 341-H. Notwithstanding Title 5, section 8072, subsection 11, or any other provision of law to the contrary, rules provisionally adopted by the department in accordance with this article and submitted for legislative review may not be finally adopted by the department unless legislation authorizing final adoption of those rules is enacted into law.

**Sec. 6. 38 MRSA §490-NN, sub-§2,** as enacted by PL 2011, c. 653, §23 and affected by §33 and amended by c. 682, §38, is further amended to read:

**2. Maine Land Use Planning Commission.** The department may not approve a permit under this article in an unorganized territory unless the Maine Land Use Planning Commission certifies to the department that:

A. The proposed mining is an allowed use within the subdistrict or subdistricts in which it is to be located; and

B. The proposed mining meets any land use standard established by the Maine Land Use Planning Commission and applicable to the project that is not considered in the department's review.

The Maine Land Use Planning Commission shall adopt rules in accordance with this subsection relating to the certification of mining permit applications under this article. Notwithstanding any other provision of law to the contrary, rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 7. 38 MRSA §490-OO, sub-§4, ¶¶D and H,** as enacted by PL 2011, c. 653, §23 and affected by §33, are amended to read:

D. There is reasonable assurance that discharges of pollutants from the mining operation will not violate applicable water quality standards. Notwithstanding sections 465-C and 470, ~~discharges to~~ contamination of groundwater from activities permitted under this article may occur within a mining area, but such ~~discharges~~ contamination must be limited and may not result in ~~contamination of groundwater beyond each mining area. In determining compliance with this standard, the department shall require groundwater monitoring consistent with the standards established pursuant to section 490-QQ, subsection 3-;~~

(1) Contamination of groundwater beyond the mining area;

(2) Contamination of groundwater within the mining area that exceeds applicable water quality criteria for pollutants other than pH or metals;

(3) Contamination of groundwater within the mining area due to pH or metals that exceeds limits set forth in the mining permit by the department based on site-specific geologic and hydrologic characteristics;

(4) Any violation of surface water quality standards under section 413 or article 4-A; or

(5) If groundwater or surface water quality within the mining area prior to the commencement of any mining activity exceeds applicable water quality standards, further degradation of such groundwater or surface water quality.

In determining compliance with this standard, the department shall require groundwater monitoring consistent with the standards established pursuant to section 490-QQ, subsection 3.

Notwithstanding section 490-MM, subsection 12, for the purposes of this paragraph, "mining area" means an area of land, approved by the department and set forth in the mining permit, not to exceed 100 feet in any direction from a mine shaft, surface pit or surface excavation, and does not include the following lands, regardless of the distance of such land from a mine shaft, surface pit or surface excavation: the land on which material from mining is stored or deposited, the land on which beneficiating or treatment facilities are located, the land on which groundwater and surface water management systems are located or the land on which water reservoirs used in a mining operation are located.

H. The mining operation will not unreasonably cause or increase the flooding of the area that is altered by the mining operation or adjacent properties or create an unreasonable flood hazard to any structure. Mining Notwithstanding any provision of law to the contrary, mining operations involving the removal of metallic minerals, the storage of metallic minerals or mine waste, the processing of metallic minerals or the treatment of mine waste may not be placed in or on flood plains or flood hazard areas as long as they are designed, constructed, operated and reclaimed in a manner that complies with the approval criteria in this subsection and the Natural Resources Protection Act.

**Sec. 8. 38 MRSA §490-OO, sub-§4, ¶¶K to O** are enacted to read:

K. No part of the mining operation will be located wholly or partially in, on or under any state land listed in Title 12, section 549-B, subsection 7, paragraph C-1.

L. The mining operation will not involve the removal of metallic minerals in, on or from a river, stream or brook, as defined in section 480-B, subsection 9; a great pond, as defined in section 480-B, subsection 5; a freshwater wetland, as defined in section 480-B, subsection 4; or a coastal wetland, as defined in section 480-B, subsection 2.

M. The mining operation will not involve placement of a mine shaft in, on or under a significant river segment, as identified in section 437; an outstanding river segment, as identified in section 480-P; an outstanding river, as identified in Title 12, section 403; a high or moderate value waterfowl and wading bird habitat that is a significant wildlife habitat pursuant to section 480-B, subsec-

tion 10, paragraph B, subparagraph (2); a great pond, as defined in section 480-B, subsection 5; or a coastal wetland, as defined in section 480-B, subsection 2.

N. The mining operation will use dry stack tailings management and will not use wet mine waste units or tailings impoundments for the management of mine waste and tailings, except that the mining operation may involve the placement into a mine shaft of waste rock that is neutralized or otherwise treated to prevent contamination of groundwater or surface water.

O. The mining operation will not use open-pit mining.

**Sec. 9. 38 MRSA §490-RR, sub-§2**, as enacted by PL 2011, c. 653, §23 and affected by §33, is repealed and the following enacted in its place:

**2. Coverage and form of financial assurance.** The financial assurance required under subsection 1 applies to all mining and reclamation operations that are subject to a mining permit.

A. The amount of the financial assurance must be sufficient to cover the cost for the department to administer, and hire a 3rd party to implement, all necessary investigation, monitoring, closure, post-closure, treatment, remediation, corrective action, reclamation, operation and maintenance activities under the environmental protection, reclamation and closure plan, including, but not limited to:

(1) The cost to investigate all possible releases of contaminants at the site, monitor all aspects of the mining operation, close the mining operation in accordance with the closure plan, conduct treatment activities of all expected fluids and wastes generated by the mining operation for a minimum of 100 years, implement remedial activities for all possible releases and maintenance of structures and waste units as if these units have released contaminants to the groundwater and surface water, conduct corrective actions for potential environmental impacts to groundwater and surface water resources as identified in the environmental impact assessment and conduct all other necessary activities at the mine site in accordance with the environmental protection, reclamation and closure plan; and

(2) The cost to respond to a worst-case catastrophic mining event or failure, including, but not limited to, the cost of restoring, repairing and remediating any damage to public facilities or services, to private property or to the environment resulting from the event or failure.

B. An applicant for a mining permit must include with its application a review of the proposed financial assurance amounts required under this section as performed by a qualified, independent 3rd-party reviewer approved by the department. The costs of the 3rd-party review must be paid by the applicant. Estimates of the costs of a worst-case catastrophic mining event or failure under paragraph A, subparagraph (2) provided by the applicant may not include costs to the applicant associated with loss of use of any mining operation or facility or the costs of repairing any damaged mining operation or facility to restore operations or other functionality.

C. The department shall require the applicant to provide financial assurance in the amount determined by the 3rd-party reviewer under paragraph B to be sufficient for the department to conduct all activities listed under paragraph A. Financial assurance estimates provided by the applicant and reviewed by the 3rd-party reviewer under this section must use the highest cost option for all estimates and include a minimum 20% contingency to account for unexpected expenses.

D. The financial assurance required by department under this subsection must consist of a trust fund that is secured with any of the following forms of negotiable property, or a combination thereof, as approved by the department:

(1) A cash account in one or more federally insured accounts;

(2) Negotiable bonds issued by the United States or by a state or a municipality having a Standard and Poor's credit rating of AAA or AA or an equivalent rating from a national securities credit rating service; or

(3) Negotiable certificates of deposit in one or more federally insured depositories.

E. The financial assurance required by the department under this section must be posted by the applicant before the department issues a permit to mine under this article.

**Sec. 10. 38 MRSA §490-RR, sub-§3**, as enacted by PL 2011, c. 653, §23 and affected by §33, is repealed.

**Sec. 11. Department of Environmental Protection; approval of final adoption.** Final adoption of Chapter 200: Metallic Mineral Exploration, Advanced Exploration and Mining, a provisionally adopted major substantive rule of the Department of Environmental Protection that was submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A on January 13, 2017, is authorized only if the following changes are made:

1. The rule must be amended in section 2 to define "dry stack tailings management" consistent with the statutory definition of "dry stack tailings management" under Title 38, section 490-MM, subsection 5-A;

2. The rule must be amended in section 2 to define "mine shaft" consistent with the statutory definition of "mine shaft" under Title 38, section 490-MM, subsection 10-A;

3. The rule must be amended in section 2 to amend the definition of "mine waste" as necessary to ensure consistency with the statutory definition of "mine waste" under Title 38, section 490-MM, subsection 10-B;

4. The rule must be amended in section 2 to amend the definition of "mine waste unit" as necessary to ensure consistency with the statutory definition of "mine waste unit" under Title 38, section 490-MM, subsection 10-C;

5. The rule must be amended in section 2 to define "open-pit mining" consistent with the statutory definition of "open-pit mining" under Title 38, section 490-MM, subsection 13-A;

6. The rule must be amended in section 2 to amend the definition of "tailings impoundment" as necessary to ensure consistency with the statutory definition of "tailings impoundment" under Title 38, section 490-MM, subsection 17;

7. The rule must be amended in section 2 to amend the definition of "wet mine waste unit" as necessary to ensure consistency with the statutory definition of "wet mine waste unit" under Title 38, section 490-MM, subsection 18;

8. The rule must be amended, as necessary, in section 11(A), section 20(B) and any other affected sections to incorporate the statutory prohibition against the permitting of a mining operation located in, on or under any state land listed in Title 12, section 549-B, subsection 7, paragraph C-1, as provided in Title 38, section 490-OO, subsection 4, paragraph K;

9. The rule must be amended, as necessary, in section 11(A), section 20(B) and any other affected sections to incorporate the statutory prohibition against the permitting of a mining operation involving the removal of metallic minerals in, on or from certain natural resources as provided in Title 38, section 490-OO, subsection 4, paragraph L;

10. The rule must be amended, as necessary, in section 11(A), section 20(B) and any other affected sections to incorporate the statutory prohibition against the permitting of a mining operation involving the placement of a mine shaft in, on or under certain natural resources as provided in Title 38, section 490-OO, subsection 4, paragraph M;

11. The rule must be amended, as necessary, in section 11(A), section 21, section 24 and any other affected sections to incorporate the statutory requirement for the use of dry stack tailings management and the statutory prohibition against the permitting of a mining operation involving the use of wet mine waste units or tailings impoundments as provided in Title 38, section 490-OO, subsection 4, paragraph N;

12. The rule must be amended, as necessary, in section 11(A) and any other affected sections to incorporate the statutory prohibition against the permitting of a mining operation that uses open-pit mining as provided in Title 38, section 490-OO, subsection 4, paragraph O;

13. The rule must be amended in section 17 and any other affected sections to clarify the coverage and form of required financial assurance pursuant to Title 38, section 490-RR, subsection 2;

14. The rule must be amended in section 22 and any other affected sections to clarify the limited definition of "mining area" pursuant to Title 38, section 490-OO, subsection 4, paragraph D;

15. All necessary grammatical, formatting, punctuation or other technical nonsubstantive editing changes must be made to the rule, including, but not limited to, the addition of subsection headings in section 2 and the removal of strikethrough letters or words remaining from prior drafts and edits; and

16. All other necessary changes must be made to the rule to ensure conformity throughout the rule and consistency with the provisions of this Act.

**Sec. 12. Maine Land Use Planning Commission rulemaking; certification of mining permit applications.** By July 1, 2018, the Maine Land Use Planning Commission shall adopt rules related to commission certification of metallic mineral mining permit applications in accordance with the Maine Revised Statutes, Title 38, section 490-NN, subsection 2. Rules adopted pursuant to this section must include any additional provisions necessary to ensure consistency with the Maine Metallic Mineral Mining Act and rules related to the Maine Metallic Mineral Mining Act adopted by the Department of Environmental Protection.

See title page for effective date.

## CHAPTER 143 H.P. 738 - L.D. 1055

### An Act To Update the Statutes under Which Maine's Credit Unions Are Chartered

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

**Sec. 1. 9-B MRSA §332, sub-§2-A, ¶A,** as enacted by PL 1999, c. 218, §12, is amended to read:

A. For a branch being established in the State by a financial institution, approval must be obtained pursuant to section 336, except that a financial institution that meets the minimum standards set forth in section 412-A or ~~832~~ 831 and any rules adopted pursuant to these sections and is not under an enforcement action that requires the superintendent's prior approval of a branch establishment may establish a branch in this State without the prior approval of the superintendent. If the superintendent's approval is not required, the financial institution shall inform the superintendent at least 10 days prior to the proposed action. This notice must be accompanied by a recording fee not to exceed \$100.

**Sec. 2. 9-B MRSA §335, sub-§1,** as amended by PL 1997, c. 398, Pt. E, §4, is further amended to read:

**1. Relocation.** A main office, branch or agency office of a financial institution may not be moved to a new location without the prior written approval of the superintendent, pursuant to section 336, except that a financial institution that meets the minimum standards set forth in section 412-A or ~~832~~ 831 and any rules adopted pursuant to these sections and is not under an enforcement action that requires the superintendent's prior approval of a branch relocation, may relocate a main office or branch in this State without the prior approval of the superintendent. If the superintendent's approval is not required, then the financial institution must inform the superintendent at least 10 days prior to the proposed action. This announcement must be accompanied by a recording fee not to exceed \$100.

**Sec. 3. 9-B MRSA §445, sub-§6,** as enacted by PL 1997, c. 22, §16, is amended to read:

**6. Notice required.** A financial institution seeking to invest in one or more service corporations shall notify the superintendent in writing at least ~~10~~ 30 days prior to such investment. ~~A financial institution seeking to establish or acquire one or more service corporations shall seek authorization to do so in accordance with the following:~~

~~A. If the services are to be performed only for other financial institutions authorized to do business in this State as defined in section 131, sub-~~

section 17 A, the financial institution shall notify the superintendent in writing, at least 10 days in advance, of its intent to establish or acquire the service corporation. This notice must contain information required by the superintendent.

~~B. If the services are to be performed for the public as well as other financial institutions, the financial institution shall file an application in accordance with section 252. The superintendent may, in addition to the criteria set forth in section 253, consider the type of institution making application and the competitive effect of that ownership.~~

~~An application or notice required by this subsection is not complete unless accompanied by a fee to be credited and used as provided in section 214.~~

**Sec. 4. 9-B MRSA §816, sub-§1, ¶F**, as enacted by PL 1983, c. 373, §1, is amended to read:

F. Needs Has a field of membership in Maine that would meet the requirements of section 814 if the credit union were organized under this chapter and needs to conduct business in this State to adequately serve its members in this State.

**Sec. 5. 9-B MRSA §831, sub-§3**, as enacted by PL 1975, c. 500, §1, is amended to read:

3. Surplus. "Surplus" or "total surplus" or "net worth" of a credit union means the sum of its guaranty fund, undivided profits and other surplus and reserve accounts balance of its retained earnings, which consists of undivided earnings, regular reserves, a guaranty fund and any other account approved by the superintendent.

**Sec. 6. 9-B MRSA §831, sub-§§4 to 7** are enacted to read:

4. Requirement. A credit union shall establish and maintain adequate levels of net worth under rules adopted by the superintendent. Rules under this subsection must address, at a minimum, composition of net worth, net worth levels that must be maintained and procedures that must be followed to restore net worth if the net worth becomes impaired or falls below the minimum standards. Minimum net worth requirements established by the superintendent may be no less stringent than those applicable to a federally chartered institution with a similar charter.

5. Exception. The superintendent may approve in writing net worth levels below the required minimum as the superintendent considers necessary or appropriate under the particular circumstances of a credit union.

6. Approval. A proposed issuance of securities considered to be net worth under subsection 4 or under rules adopted under subsection 4 must be submitted to the superintendent for the superintendent's approval at

least 10 days prior to issuance and include any documentation the superintendent considers necessary.

7. Rulemaking. The superintendent may adopt rules to implement this section or to determine the amount of net worth required under this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. In the absence of rulemaking, a credit union shall follow the capital adequacy standards established by the National Credit Union Administration or a successor institution. In the event standards established by the National Credit Union Administration or a successor institution require the credit union to accumulate or maintain accounts in an amount in excess of the standard established by the superintendent, the credit union shall accumulate and maintain such accounts in a manner sufficient to satisfy the requirements of the National Credit Union Administration or a successor institution.

**Sec. 7. 9-B MRSA §832**, as amended by PL 2003, c. 322, §§20 and 21, is repealed.

**Sec. 8. 9-B MRSA §833, sub-§1-A**, as enacted by PL 2003, c. 322, §23, is amended to read:

**1-A. Time for payment of dividends; method.** At such intervals as the board of directors may authorize and after provision for the guaranty fund established the credit union establishes and maintains adequate levels of net worth pursuant to section 832 831, the board of directors may declare a dividend to be paid at different rates on different types of shares, at different rates and maturity dates in the case of share certificates and at different rates on different types of share draft accounts. Dividends credited may be accrued on various types of shares, share certificates and share draft accounts as authorized by the board of directors.

**Sec. 9. 9-B MRSA §847, sub-§1**, as enacted by PL 1975, c. 500, §1, is amended to read:

1. Grounds for expulsion. The board of directors A manager or chief executive officer of a credit union may expel from the credit union any member who has not carried out his the member's engagement with the credit union, or who has been convicted of a criminal offense, or who neglects or refuses to comply with the provisions of this Part or the bylaws or the official policies of the credit union, or who has deceived the credit union or a committee thereof of the credit union with regard to the use of borrowed money; but no member shall be expelled until he has been informed in writing of the charges against him and until an opportunity has been given him, after reasonable notice, to be heard thereon. The expelled member must be informed of the grounds for the expulsion and may appeal the expulsion to an expulsion committee established by the credit union. The board of directors of the credit union shall establish an ex-

pulsion committee to review expulsion appeals by members, and all decisions of the expulsion committee are final.

**Sec. 10. 9-B MRSA §863, sub-§2**, as enacted by PL 1975, c. 500, §1, is amended to read:

**2. Limitation.** The cost to the credit union of ~~such~~ lands, buildings, fixtures and equipment ~~shall described in subsection 1~~ may not exceed ~~50%~~ 60% of ~~such~~ the credit union's total surplus at the time ~~such~~ the investment is made; ~~provided~~ except that the superintendent may, for good cause shown, upon application by the credit union in writing, approve an amount in excess of ~~said 50%~~ 60% of total surplus, subject to such conditions as the superintendent ~~may deem~~ considers necessary.

**Sec. 11. 9-B MRSA §864, sub-§2**, as amended by PL 2005, c. 82, §11, is further amended to read:

**2. Limitations.** A credit union may invest ~~40%~~ 20% of its ~~share capital and surplus~~ net worth in any service corporation only if:

A. The service corporation is structured to limit the credit union's exposure to loss; and

B. The service corporation primarily serves credit unions and the membership of affiliated credit unions. A service corporation formed after July 31, 1994 primarily serves credit unions and the membership of affiliated credit unions within the meaning of this paragraph if at least 75% of the services provided within this State are to credit unions and members of credit unions.

The superintendent may approve an amount less than or in excess of ~~40%~~ 20%, subject to such terms and conditions as the superintendent determines necessary. The aggregate investment of a credit union in all service corporations may not exceed 50% of its net worth.

**Sec. 12. 9-B MRSA §864, sub-§3**, as amended by PL 1993, c. 99, §3, is repealed.

**Sec. 13. 9-B MRSA §864, sub-§§4 and 5** are enacted to read:

**4. Records.** The books and accounts of a service corporation involving any credit union must be kept in such manner and form as the superintendent may prescribe, and any agreement between a credit union and a service corporation must provide that the books and accounts of the service corporation may be examined by the superintendent or the superintendent's designee.

**5. Application; notice required.** A credit union or credit unions seeking to organize as or invest in a service corporation shall notify the superintendent in

writing at least 30 days prior to organizing as or investing in the service corporation.

See title page for effective date.

## CHAPTER 144

### H.P. 246 - L.D. 332

#### An Act Regarding Service of Criminal Process on Electronic Communication Service Providers and Remote Computing 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**, the business of electronic communication service providers and remote computing service providers is growing rapidly and their involvement with the criminal justice system is increasing; and

**Whereas**, for the purposes of the timely administration of criminal justice in this State, amendments to current law are needed immediately to explicitly provide a procedure for the service of criminal process on foreign and domestic entities that are providers of electronic communication service and providers of remote computing service; 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 §113, sub-§6** is enacted to read:

**6. Service of criminal process on providers of electronic communication service or providers of remote computing service.** A commercial clerk or registered agent of a provider is an agent of the provider authorized to receive service of a grand jury subpoena or a search warrant required or permitted by law to be served on the entity. Service of criminal process must be accomplished as provided in this subsection.

A. As used in this subsection, unless the context otherwise indicates, the following terms have the following meanings.

(1) "Criminal process" means a grand jury subpoena or search warrant issued pursuant to this section, Title 15, section 55 or 56 or Rule

17 or 17A of the Maine Rules of Unified Criminal Procedure.

(2) "Electronic communication service" means a service that provides to users the ability to send or receive spoken, wire or electronic communications.

(3) "Electronic communication service provider" or "provider of electronic communication service" means an entity that provides electronic communication service to the general public.

(4) "Provider" means an electronic communication service provider or a remote computing service provider.

(5) "Remote computing service" means computing storage or processing services provided by means of an electronic communication service.

(6) "Remote computing service provider" or "provider of remote computing service" means an entity that provides remote computing service to the general public.

(7) "Service of criminal process" means any service of a grand jury subpoena or search warrant.

B. The authority granted in this subsection applies to criminal process served pursuant to Title 15, section 55 or 56, Rule 17 or 17A of the Maine Rules of Unified Criminal Procedure or any other provision of state or federal law upon a provider in accordance with paragraph C.

C. For purposes of this subsection, criminal process is properly served if it is:

(1) Delivered by hand, or in a manner reasonably allowing for proof of delivery if delivered by United States mail, overnight delivery service or facsimile to a commercial clerk or commercial registered agent as provided in section 106; section 107, subsection 4; or this section;

(2) Delivered by specific means identified by the provider for service of criminal process, including, but not limited to, e-mail, facsimile or submission via an Internet web portal; or

(3) Delivered to the provider's place of business within the State.

If service is made pursuant to subparagraph (1) or (3) and the provider promptly notifies the law enforcement agency of the specific means of service identified by the provider pursuant to subparagraph (2) for criminal process, service must be made by the means of service specified by the provider if possible.

D. Service of criminal process pursuant to this section governs party and nonparty recipients.

**Sec. 2. 15 MRSA §55**, as amended by PL 1995, c. 388, §3 and affected by §8, is further amended to read:

**§55. Search warrants; issuance by justice, judge or justice of the peace**

A justice of the Superior Court, a judge of the District Court or a justice of the peace shall issue search warrants for any place in the State for such purposes as the Constitution of the United States and the Constitution of Maine permit, including with respect to any violation over which the Passamaquoddy Tribe or the Penobscot Nation or the Houlton Band of Maliseet Indians exercises exclusive jurisdiction under Title 30, section 6209-A or 6209-B or 6209-C. The evidence presented to the magistrate in support of the search warrant may consist of affidavits and other evidence under oath or affirmation that is capable of being reduced to a record for purposes of review. The Supreme Judicial Court shall by rule provide the procedure of the application for and issuance of search warrants; ~~provided that, when~~ When no procedure is specified by the Supreme Judicial Court, the justice, judge or justice of the peace shall proceed in any reasonable manner that will allow the issuance of a search warrant for any constitutional purpose. A justice, a judge or a justice of the peace shall issue a search warrant for a domestic or foreign entity that is a provider of electronic communication service or a provider of remote computing service in accordance with the provisions of this section and section 56.

**Sec. 3. 15 MRSA §56** is enacted to read:

**§56. Service of criminal process on providers of electronic communication service or providers of remote computing service**

The following provisions apply to a service of criminal process on an electronic communication service provider and a remote computing service provider that are domestic or foreign entities.

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following words have the following meanings.

A. "Adverse result" means:

(1) Immediate danger of death or serious physical injury;

(2) Flight from prosecution;

(3) Destruction of or tampering with evidence;

(4) Intimidation of a potential witness;

(5) Potentially jeopardizing an investigation;

(6) Undue delay of a trial; or

(7) Other significantly detrimental consequence.

B. "Applicant" means a law enforcement officer who has applied for or received a search warrant pursuant to section 55 or this section.

C. "Content information," when used with respect to any wire or electronic communication, includes any information concerning the substance, purport or meaning of that communication.

D. "Court" means the Superior Court or the District Court.

E. "Criminal process" means a search warrant issued pursuant to Title 5, section 113; section 55; or this section, or a grand jury subpoena issued pursuant to Rule 17 or 17A of the Maine Rules of Unified Criminal Procedure and this section.

F. "Domestic entity" means an entity whose internal affairs are governed by the laws of this State.

G. "Electronic communication service" means a service that provides to users the ability to send or receive spoken, wire or electronic communications.

H. "Electronic communication service provider" means an entity that provides electronic communication service to the general public.

I. "Entity" means an entity as defined in Title 5, section 102, subsection 7.

J. "Foreign entity" means an entity other than a domestic entity.

K. "Location information" means information concerning the location of an electronic device, including both the current location and any prior location of the device, that, in whole or in part, is generated, derived from or obtained by the operation of an electronic device.

L. "Properly served" means that a search warrant or grand jury subpoena has been:

(1) Delivered by hand, or in a manner reasonably allowing for proof of delivery if delivered by United States mail, overnight delivery service or facsimile to a commercial clerk or commercial registered agent as provided in Title 5, section 106; Title 5, section 107, subsection 4; or this section;

(2) Delivered by specific means identified by the provider for service of criminal process, including, but not limited to, e-mail, facsimile or submission via an Internet web portal; or

(3) Delivered to the provider's place of business within the State.

If service is made pursuant to subparagraph (1) or (3) and the provider promptly notifies the law enforcement agency of the specific means of service identified by the provider pursuant to subparagraph (2) for criminal process, service must be made by the means of service specified by the provider if possible.

M. "Provider" means an electronic communication service provider or a remote computing service provider.

N. "Remote computing service" means computing storage or processing services provided by means of an electronic communication service.

O. "Remote computing service provider" means an entity that provides remote computing service to the general public.

**2. Requirements applicable to a foreign entity provider.** The following provisions apply to criminal process issued pursuant to this section that requires a search for records that are in the possession or control of a foreign entity provider when those records would reveal the identity of a customer using services, data stored by or on behalf of a customer, a customer's usage of the service, the recipient or destination of communications sent to or from a customer, content information or location information.

A. A foreign entity provider served with a search warrant pursuant to this section shall produce to the applicant all records sought, including those records maintained or located outside this State, within 14 days of service. The 14 days may be extended by the court as follows:

(1) By the 10th day following service, the foreign entity provider in writing or electronically must notify the law enforcement officer who served the warrant that producing all the records within 14 days is not practicable, the reasons why compliance is not practicable and the date by which the foreign entity provider will complete the production; and

(2) The law enforcement officer shall file a notice with the court of the reasons under subparagraph (1).

If the court finds that good cause exists for the delay, the court may extend the 14-day period to the date of production specified by the foreign entity provider and the provider is prohibited from asserting that the warrant has expired. For purposes of this paragraph, good cause includes, but is not limited to, impracticability of timely response, difficulty of identifying and retrieving the data requested and the volume of data or number of sources sought.

B. A foreign entity provider served with a grand jury subpoena pursuant to this section shall pro-

duce to the prosecutor or grand jury all records sought, including those records maintained or located outside this State, by or at the time of the grand jury appearance. The grand jury subpoena must include the address of the prosecutor or grand jury to which the provider must produce the records.

C. A foreign entity provider shall verify the authenticity of records that it produces by providing an affidavit that complies with the requirements set forth in the Maine Rules of Evidence, Rule 902(12). Admissibility of these records in a court in this State is governed by the Maine Rules of Evidence, Rule 803(6).

D. A foreign entity provider that produces records or testifies pursuant to this subsection is immune from criminal or civil liability for the release of the requested information to the court, attorney for the State or law enforcement agency involved in the investigation.

**3. Requirements applicable to a domestic entity provider.** The following provisions apply to criminal process issued pursuant to this section that requires a search for records that are in the possession or control of a domestic entity provider when those records would reveal the identity of a customer using services, data stored by or on behalf of a customer, a customer's usage of the service, the recipient or destination of communications sent to or from a customer, content information or location information.

A. A domestic entity provider, when served with criminal process issued by another state to produce records that would reveal the identity of a customer using services, data stored by or on behalf of a customer, a customer's usage of the service, the recipient or destination of communications sent to or from a customer, content information or location information, shall produce those records as if that criminal process had been issued by a court in this State.

B. A domestic entity provider served with a search warrant pursuant to this section shall produce to the applicant all records sought, including those records maintained or located outside this State, within 14 days of service. The 14-day period may be extended by the court as follows:

(1) By the 10th day following service, the domestic entity provider in writing or electronically must notify the law enforcement officer who served the warrant that producing all the records within 14 days is not practicable, the reasons why compliance is not practicable and the date by which the domestic entity provider will complete the production; and

(2) The law enforcement officer shall file a notice with the court of the reasons under subparagraph (1).

If the court finds that good cause exists for the delay, the court may extend the 14-day period to the date of production specified by the domestic entity provider and the provider is prohibited from asserting that the warrant has expired. For purposes of this paragraph, good cause includes, but is not limited to, impracticability of timely response, difficulty of identifying and retrieving the data requested and the volume of data or number of sources sought.

C. A domestic entity provider served with a grand jury subpoena pursuant to this section shall produce to the prosecutor or grand jury all records sought, including those records maintained or located outside this State, by or at the time of the grand jury appearance. The grand jury subpoena must include the address of the prosecutor or grand jury to which the provider must produce the records.

D. A domestic entity provider shall verify the authenticity of records that it produces by providing an affidavit that complies with the requirements set forth in the Maine Rules of Evidence, Rule 902(11) or on a form provided by the requesting jurisdiction. Admissibility of these records in a court in this State is governed by the Maine Rules of Evidence, Rule 803(6).

E. A domestic entity provider that produces records or testifies pursuant to this subsection is immune from criminal or civil liability for the release of the requested information to the court, attorney for the State or law enforcement agency involved in the investigation.

**4. Application for expedited production of records.** Notwithstanding the 14-day period specified in subsection 2 or 3 for production of the records, if an applicant for a search warrant believes that delaying production is reasonably likely to cause an adverse result, the applicant may request that the court require the production of the records sooner than 14 days after service pursuant to this subsection.

A. The applicant shall demonstrate to the court the specific adverse result or results, as specified in subsection 1, paragraph A, subparagraphs (1) to (7), that delaying production for 14 days is reasonably likely to cause.

B. If the court finds that the delay may cause an adverse result, the court shall state the adverse result specified in subsection 1, paragraph A, subparagraphs (1) to (7) and may require the provider to produce the records in a specified number of days.

C. If the court specifies that the provider has less than 14 days to produce the record and the adverse result finding is listed in subsection 1, paragraph A, subparagraphs (1) to (4), the provider must respond within the time specified by the court.

D. If the court specifies that the provider has less than 14 days to produce the record and the only adverse result findings are results listed in subsection 1, paragraph A, subparagraphs (5) to (7), the provider must notify the law enforcement officer serving the warrant that compliance within that period specified by the court is not practicable and must state the date within 14 days from service by which the provider will respond. The law enforcement officer shall file the provider's response with the court, and, upon a demonstration of good cause by the provider, the response period may be extended by the court to no more than 14 days from the date of service of the warrant. As used in this paragraph, good cause includes, but is not limited to, impracticability of timely response, difficulty of identifying and retrieving the data requested and the volume of data or number of sources sought.

**Sec. 4. 16 MRSA §642, sub-§1**, as amended by PL 2013, c. 519, §5, is further amended to read:

**1. Authority to obtain.** A government entity may obtain portable electronic device content information directly from a provider of electronic communication service or a provider of remote computing service only in accordance with a valid search warrant issued by a duly authorized justice, judge or justice of the peace using procedures established pursuant to Title 15, section 55 or 56 or as otherwise provided in this subchapter.

**Sec. 5. 16 MRSA §648**, as amended by PL 2013, c. 519, §6, is further amended to read:

**§648. Search warrant needed for acquisition of location information**

Except as provided in this subchapter, a government entity may not obtain location information without a valid warrant issued by a duly authorized justice, judge or justice of the peace using procedures established pursuant to Title 15, section 55 or 56.

A justice, judge or justice of the peace may issue a search warrant for the location information of an electronic device pursuant to this section for a period of time necessary to achieve the objective of the authorization, but in any case the warrant is not valid for more than ~~10~~ 14 days after the issuance. A justice, judge or justice of the peace may grant an extension of a warrant upon a finding of continuing probable cause and a finding that the extension is necessary to achieve the objective of the authorization. An extension may not exceed 30 days.

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

Effective June 8, 2017.

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**CHAPTER 145**

**H.P. 797 - L.D. 1134**

**An Act To Amend the Laws Governing Nursing Facilities To Permit Nurse Practitioners, Clinical Nurse Specialists and Physician Assistants To Perform Certain Physician Tasks**

**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 must take effect before the expiration of the 90-day period in order to ensure care is provided to nursing facility residents receiving skilled nursing facility level services 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. 22 MRSA §1812-L** is enacted to read:

**§1812-L. Performance of certain tasks by physicians and others**

**1. Performance of certain tasks for residents receiving skilled nursing facility services.** For a nursing facility resident receiving skilled nursing facility level services:

A. The initial comprehensive visit through which a plan of care is developed for the resident and every alternate required visit thereafter must be performed by a physician;

B. The alternate required visits may be performed by a physician assistant, nurse practitioner or clinical nurse specialist who is licensed or certified as such by the State and performing within the authorized scope of practice if delegated by a physician;

C. Medically necessary visits may be performed by a physician assistant, nurse practitioner or

clinical nurse specialist who is licensed or certified as such by the State and performing within the authorized scope of practice if delegated by a physician; and

D. Certifications and recertifications to verify that the resident requires daily skilled nursing care or rehabilitation services may be performed by a physician assistant, nurse practitioner or clinical nurse specialist who is licensed or certified as such by the State and performing within the authorized scope of practice and who is not employed by the facility and who is working in collaboration with a physician.

**2. Performance of certain tasks for residents receiving nursing facility services.** For a nursing facility resident receiving nursing facility level services, a physician assistant, nurse practitioner or clinical nurse specialist who is licensed or certified as such by the State and performing within the authorized scope of practice and who is not employed by the facility and who is working in collaboration with a physician may perform any physician task, including but not limited to:

- A. The resident's initial comprehensive visit;
- B. Any other required visit; and
- C. Any medically necessary visit.

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

Effective June 8, 2017.

## CHAPTER 146 H.P. 843 - L.D. 1207

### An Act To Make Technical Changes to Maine's Marine Resources 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**, under current law the allowable bait for fishing for lobsters is unclear, restrictions on holders of marine harvesting demonstration licenses are preventing activity during the busiest summer months and the State's ability to track sales of marine organisms is hindered; and

**Whereas**, the State's marine industries provide significant economic benefit; and

**Whereas**, providing clarity, expanding economic opportunities and allowing effective management of

the State's marine industries are necessary before the summer season begins; and

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

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

**Sec. 1. 12 MRSA §6432-A, sub-§1**, as enacted by PL 2005, c. 203, §2 and affected by §3, is amended to read:

**1. Offal prohibited.** A person may not use offal as bait to fish for or take lobster or crabs. A person may not sell offal for use as bait to fish for or take lobster or crabs. For the purposes of this section, "offal" means the carcass, waste parts, renderings or remains of a wild or domesticated animal that is not a marine organism, ~~but~~, "Offal" does not include animal hide from which the hair has been removed or fat attached to an animal hide from which the hair has been removed as long as the total thickness of fat and animal hide does not exceed 1 1/4 inches.

**Sec. 2. 12 MRSA §6810-A, sub-§1-A** is enacted to read:

**1-A. Eligibility.** A marine harvesting demonstration license may be issued only to an individual, except that a person who holds a Class I, Class II or Class III lobster and crab fishing license or a non-commercial lobster and crab fishing license may not be issued a marine harvesting demonstration license.

**Sec. 3. 12 MRSA §6810-A, sub-§7-A** is enacted to read:

**7-A. Closed period exemption.** The holder of a marine harvesting demonstration license is exempt from the prohibition on raising or hauling any lobster trap pursuant to section 6440, subsection 2 when raising or hauling lobster traps from the vessel identified on the marine harvesting demonstration license.

**Sec. 4. 12 MRSA §6810-A, sub-§11**, as enacted by PL 2003, c. 169, §1 and affected by §3, is amended to read:

**11. Penalties.** A person who violates this section commits a civil violation for which a fine of not less than \$100 nor more than \$1,000 may be adjudged. Notwithstanding section 6401, subsection 2, the commissioner may permanently revoke the marine harvesting demonstration license of a person who sells, retains, ships or transports any portion of the catch or does not release all organisms alive into the area from which the organisms were harvested pursuant to subsection 3.

**Sec. 5. 12 MRSA §6852, sub-§2**, as amended by PL 2013, c. 468, §34 and affected by §46, is further amended to read:

**2. License activity.** ~~The~~ Except as provided in subsection 2-B, the holder of a retail seafood license may, in the retail trade, buy, sell, transport, ship or serve:

- A. Shellstock, which must be purchased from a wholesale seafood license holder certified under section 6856;
- D. Crayfish;
- F. Lobsters; and
- G. Any marine organism that is purchased directly from a harvester licensed under this Part.

A holder of a retail seafood license when buying directly from a harvester may buy only from a harvester who possesses the license or permit for that species as required under this Part. The harvester shall make the applicable marine resources license or permit available for inspection upon the retail seafood license holder's request.

**Sec. 6. 12 MRSA §6852, sub-§2-B** is enacted to read:

**2-B. Endorsements.** The holder of a retail seafood license buying directly from a harvester must obtain an endorsement from the department for the species being bought if the license to harvest that species requires the harvester to comply with an electronic reporting requirement. The department shall provide endorsements to license holders at no cost in accordance with rules adopted under subsection 6.

**Sec. 7. 12 MRSA §6852, sub-§6, ¶¶E and F**, as enacted by PL 2005, c. 434, §12, are amended to read:

- E. The labeling or marking of shipments of shellfish and wholesale scallops; ~~and~~
- F. The protection of public health; ~~and~~

**Sec. 8. 12 MRSA §6852, sub-§6, ¶G** is enacted to read:

G. Endorsements under subsection 2-B.

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

Effective June 8, 2017.

## CHAPTER 147 S.P. 414 - L.D. 1223

### An Act To Facilitate the Continued Operation of the Department of Corrections Intensive Mental Health Unit

**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 continues in effect certain laws relating to the Department of Corrections that, if repealed before the expiration of the 90-day period as provided in current law, would create significant difficulties in the administration of the Department of Corrections; 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. 34-A MRSA §1001, sub-§11-B**, as enacted by PL 2013, c. 434, §2, is amended to read:

**11-B. Likelihood of serious harm.** "Likelihood of serious harm" means a:

- A. Substantial risk of physical harm to a person, as manifested by that person's recent threats of, or attempts at, suicide or serious self-inflicted harm;
- B. Substantial risk of physical harm to other persons, as manifested by a person's recent homicidal or other violent behavior or recent conduct placing others in reasonable fear of serious physical harm; or
- C. Reasonable certainty that a person will suffer severe physical or mental harm as manifested by that person's recent behavior demonstrating an inability to avoid risk or to protect the person's self adequately from impairment or injury.

~~This subsection is repealed August 1, 2017.~~

**Sec. 2. 34-A MRSA §1001, sub-§12-A**, as enacted by PL 2013, c. 434, §3, is amended to read:

**12-A. Person with mental illness.** "Person with mental illness" means a person who has attained 18 years of age and has been diagnosed as having a psychiatric or other illness that substantially impairs that person's mental health. An intellectual disability as defined in Title 34-B, section 5001, subsection 3 or a personality disorder is not a psychiatric or other illness

for purposes of this subsection. ~~This subsection is repealed August 1, 2017.~~

**Sec. 3. 34-A MRSA §3049, sub-§8**, as enacted by PL 2013, c. 434, §4, is repealed.

**Sec. 4. 34-A MRSA §3069-A, sub-§6**, as enacted by PL 2013, c. 434, §5, is repealed.

**Sec. 5. 34-A MRSA §3069-B, sub-§6**, as enacted by PL 2013, c. 434, §6, is repealed.

**Sec. 6. 34-B MRSA §1207, sub-§1, ¶B**, as repealed and replaced by PL 2015, c. 329, Pt. A, §21, is amended to read:

B. Information may be disclosed if necessary to carry out the statutory functions of the department; the hospitalization provisions of chapter 3, subchapter 4; the provisions of section 1931; the purposes of section 3608; the purposes of Title 5, section 19506; the purposes of United States Public Law 99-319, dealing with the investigatory function of the independent agency designated with advocacy and investigatory functions under United States Public Law 88-164, Title I, Part C or United States Public Law 99-319; the investigation and hearing pursuant to Title 15, section 393, subsection 4-A; or the provision of mental health services by the Department of Corrections pursuant to Title 34-A, section 3031, 3069-A or 3069-B. ~~This paragraph is repealed August 1, 2017;~~

**Sec. 7. 34-B MRSA §1207, sub-§1, ¶B-3**, as amended by PL 2015, c. 329, Pt. A, §22, is repealed.

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

Effective June 8, 2017.

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**CHAPTER 148**  
**S.P. 503 - L.D. 1457**

**An Act to Rename and  
Repurpose the Mountain View  
Youth Development Center as  
the Mountain View  
Correctional Facility and To  
Eliminate the Charleston  
Correctional Facility as a  
Facility Separate from  
Mountain View**

**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 laws relating to the Department of Corrections create significant difficulties in the administration of the Department of Corrections; 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 §17851, sub-§11**, as amended by PL 1999, c. 731, Pt. CCC, §1, is further amended to read:

**11. Maine State Prison employees.** Except as provided in section 17851-A, the warden or deputy warden of the Maine State Prison, any officer or employee of the Maine State Prison employed as a guard or in the management of prisoners or any person employed as the supervising officer of those officers or employees or as an advocate at the Maine State Prison qualifies for a service retirement benefit if that person:

A. Was employed in one of those capacities before September 1, 1984 and:

- (1) Completes 20 years of creditable service in one or more of those capacities; and
- (2) Retires upon or after reaching the age of 50 years; or

B. Was employed in one of those capacities after August 31, 1984 and before January 1, 2000 and completed 25 years of creditable service in one or more of those capacities.

Notwithstanding any other provision in this section, no person in the employ of the Bangor Pre-Release Center on August 4, 1988 who would have qualified for a service retirement benefit if the Bangor Pre-Release Center had remained the administrative responsibility of the Maine State Prison may be denied such a benefit by virtue of the transfer of that responsibility to the former Charleston Correctional Facility.

A person in the employ of the Bangor Pre-Release Center to whom paragraph A applies and who is employed at the Bangor Pre-Release Center on June 30, 2000 remains covered under paragraph A notwithstanding the closing of the Bangor Pre-Release Center if the person is thereafter and without a break in service employed in a capacity to which this subsection or section 17851-A, subsection 1, paragraph I applies or if not thereafter employed in such a capacity but having qualified at the time of the closing of the Bangor Pre-Release Center for retirement under paragraph A, retires then or at a later time.

**Sec. 2. 15 MRSA §2121, sub-§2**, as amended by PL 2013, c. 133, §3, is further amended to read:

**2. Post-sentencing proceeding.** "Post-sentencing proceeding" means a court proceeding or administrative action occurring during the course of and pursuant to the operation of a sentence that affects whether there is incarceration or its length, including revocation of parole, failure to grant parole, an error of law in the computation of a sentence including administrative calculations of deductions relative to time detained pursuant to Title 17-A, section 1253, subsection 2 and default in payment of a fine or restitution. It does not include the following Title 17-A, Part 3 court proceedings: revocation of probation, revocation of supervised release for sex offenders or revocation of administrative release. It does not include the following administrative actions: calculations of good time and meritorious good time credits pursuant to Title 17-A, section 1253, subsections 3, 3-B, 4, 5 and 7 or similar deductions under Title 17-A, section 1253, subsections 8, 9 and 10; disciplinary proceedings resulting in a withdrawal of good-time credits or similar deductions under Title 17-A, section 1253, subsections 6, 8, 9 and 10; cancellation of furlough or other rehabilitative programs authorized under Title 30-A, sections 1556, 1605 and 1606 or Title 34-A, section 3035; cancellation of a supervised community confinement program granted pursuant to Title 34-A, section 3036-A; cancellation of a community confinement monitoring program granted pursuant to Title 30-A, section 1659-A; or cancellation of placement on community reintegration status granted pursuant to Title 34-A, section 3810 or former section 4112.

**Sec. 3. 17-A MRSA §15, sub-§1, ¶A**, as repealed and replaced by PL 2011, c. 691, Pt. A, §12, is amended to read:

A. Any person who the officer has probable cause to believe has committed or is committing:

- (1) Murder;
- (2) Any Class A, Class B or Class C crime;
- (3) Assault while hunting;
- (4) Any offense defined in chapter 45;
- (5) Assault, criminal threatening, terrorizing or stalking, if the officer reasonably believes that the person may cause injury to others unless immediately arrested;
- (5-A) Assault, criminal threatening, terrorizing, stalking, criminal mischief, obstructing the report of a crime or injury or reckless conduct if the officer reasonably believes that the person and the victim are family or household members, as defined in Title 19-A, section 4002, subsection 4;

(5-B) Domestic violence assault, domestic violence criminal threatening, domestic violence terrorizing, domestic violence stalking or domestic violence reckless conduct;

(6) Theft as defined in section 357, when the value of the services is \$1,000 or less if the officer reasonably believes that the person will not be apprehended unless immediately arrested;

(7) Forgery, if the officer reasonably believes that the person will not be apprehended unless immediately arrested;

(8) Negotiating a worthless instrument if the officer reasonably believes that the person will not be apprehended unless immediately arrested;

(9) A violation of a condition of probation when requested by a probation officer or juvenile community corrections officer;

(10) Violation of a condition of release in violation of Title 15, section 1026, subsection 3; Title 15, section 1027, subsection 3; Title 15, section 1051, subsection 2; and Title 15, section 1092;

(11) Theft involving a detention under Title 17, section 3521;

(12) Harassment, as set forth in section 506-A;

(13) Violation of a protection order, as specified in Title 5, section 4659, subsection 2; Title 15, section 321, subsection 6; former Title 19, section 769, subsection 2; former Title 19, section 770, subsection 5; Title 19-A, section 4011, subsection 3; and Title 19-A, section 4012, subsection 5;

(14) A violation of a sex offender registration provision under Title 34-A, chapter 15;

(15) A violation of a requirement of administrative release when requested by the attorney for the State;

(16) A violation of a condition of supervised release for sex offenders when requested by a probation officer;

(17) A violation of a court-imposed deferment requirement of a deferred disposition when requested by the attorney for the State;

(18) A violation of a condition of release as provided in Title 15, section 3203-A, subsection 9;

(19) A violation of a condition of supervised community confinement granted pursuant to

Title 34-A, section 3036-A when requested by a probation officer;

(20) A violation of a condition of placement on community reintegration status granted pursuant to Title 34-A, ~~sections section~~ section 3810 and former section 4112 when requested by a juvenile community corrections officer;

(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;

(22) A violation of preconviction or post-conviction bail pursuant to Title 15, section 1095, subsection 2 or section 1098, subsection 2 upon request of the attorney for the State;

(23) Failure to appear in violation of Title 15, section 1091, subsection 1, paragraph A;

(24) A Class D or Class E crime committed while released on preconviction or post-conviction bail; or

(25) A violation of a condition of release from a community confinement monitoring program pursuant to Title 30-A, section 1659-A; and

**Sec. 4. 20-A MRSA §1, sub-§34-A, ¶E**, as amended by PL 2003, c. 706, Pt. A, §8, is further amended to read:

E. In the custody or under the supervision of the Department of Corrections, including, but not limited to, a juvenile on conditional release, an informally adjusted juvenile, a probationer or a juvenile on community reintegration status from the Long Creek Youth Development Center ~~or the Mountain View Youth Development Center~~ and who is placed, for reasons other than educational reasons, pursuant to a court order or with the agreement of an authorized agent of the Department of Corrections, outside the juvenile's home.

**Sec. 5. 34-A MRSA §1001, sub-§8-A**, as amended by PL 2003, c. 410, §10, is further amended to read:

**8-A. Detention facility.** "Detention facility" means the Long Creek Youth Development Center and, to the extent it houses juveniles, the Mountain View ~~Youth Development Center~~ Correctional Facility.

**Sec. 6. 34-A MRSA §1001, sub-§11**, as amended by PL 2005, c. 507, §18, is further amended to read:

**11. Juvenile client.** "Juvenile client" means a juvenile committed to a juvenile correctional facility

who is either residing at the facility or is on community reintegration status, or ordered confined in a juvenile correctional facility pursuant to Title 12, section 6004, 8004 or 10608; Title 15, section 3314, subsection 1, paragraph H; Title 15, section 3314, subsection 7; or Title 29-A, section 115.

**Sec. 7. 34-A MRSA §3061, sub-§1**, as amended by PL 2013, c. 28, §10, is further amended to read:

**1. Transfer.** The commissioner may transfer any client from one correctional or detention facility or program, including prerelease centers, work release centers, halfway houses, supervised community confinement or specialized treatment facilities, to another. A juvenile may not be transferred to another facility or program for adult offenders and an adult offender may not be transferred to another facility or program for juveniles, except that an adult offender may be housed in the Long Creek Youth Development Center or the Mountain View ~~Youth Development Center~~ Correctional Facility pursuant to ~~section 3816 or~~ 4117 or Title 17-A, section 1259.

**Sec. 8. 34-A MRSA c. 3, sub-c. 4**, as amended, is repealed.

**Sec. 9. 34-A MRSA §3816**, as enacted by PL 2013, c. 28, §11, is repealed.

**Sec. 10. 34-A MRSA §4101**, as enacted by PL 1991, c. 400 and amended by PL 1999, c. 401, Pt. J, §6 and PL 2001, c. 439, Pt. G, §8, is further amended to read:

#### **§4101. Establishment**

There is established the Mountain View ~~Youth Development Center~~ Correctional Facility located in Penobscot County.

**Sec. 11. 34-A MRSA §4102-A**, as amended by PL 2011, c. 282, §7, is further amended to read:

#### **§4102-A. Purposes for juveniles**

**1. Statement.** The purposes of the Mountain View ~~Youth Development Center~~ Correctional Facility with respect to juvenile detainees and juvenile clients are:

A. To detain juveniles pending a court proceeding;

B. To administer court-ordered diagnostic evaluations pursuant to Title 15, section 3309-A, and court-ordered examinations pursuant to Title 15, section 3318-A;

~~C. To rehabilitate juveniles committed to a juvenile correctional facility pursuant to Title 15, section 3314, subsection 1, paragraph F;~~

D. To protect the public from dangerous juveniles;

E. To confine juveniles ordered confined pursuant to Title 15, section 3314, subsection 1, paragraph H;

F. To confine juveniles ordered detained pursuant to Title 15, section 3312, subsection 3, paragraph D;

G. To confine juveniles ordered confined pursuant to Title 12, sections 6004, 8004 and 10608 and Title 29-A, section 115; and

H. To confine juveniles ordered confined pursuant to Title 15, section 3314, subsection 7; and

~~I. To confine juveniles committed to a juvenile correctional facility pursuant to Title 17-A, section 1259.~~

**2. Accomplishment.** To accomplish the purposes set out in subsection 1, the disciplines of education, casework, group work, psychology, psychiatry, medicine, nursing, vocational training and religion as they are related to human relations and personality development must be employed. Security measures, whether in the form of physically restrictive construction or intensive staff supervision, when appropriate, may be taken to accomplish these purposes.

**Sec. 12. 34-A MRSA §4102-B** is enacted to read:

**§4102-B. Purposes for prisoners**

The purposes of the Mountain View Correctional Facility with respect to prisoners include vocational and academic education and rehabilitative programs, including work release and work involving public restitution.

**Sec. 13. 34-A MRSA §4103, sub-§1**, as amended by PL 2005, c. 488, §12, is further amended to read:

**1. Chief administrative officer.** The chief administrative officer of the Mountain View ~~Youth Development Center~~ Correctional Facility is called the superintendent and is responsible to the commissioner.

**Sec. 14. 34-A MRSA §4103, sub-§2**, as amended by PL 2005, c. 488, §12, is further amended to read:

**2. Duties.** In addition to other duties set out in this Title, the superintendent has the following duties.

A. The superintendent shall exercise supervision over the employees, grounds, buildings and equipment at the Mountain View ~~Youth Development Center~~ Correctional Facility.

B. The superintendent shall supervise and control the juvenile detainees and juvenile clients at the Mountain View ~~Youth Development Center~~ Correctional Facility in accordance with department rules.

C. The superintendent shall supervise and control the prisoners at the Mountain View Correctional Facility in accordance with department rules.

**Sec. 15. 34-A MRSA §4104**, as amended by PL 2007, c. 536, §8, is further amended to read:

**§4104. Detention and confinement of juveniles**

~~**1 A. Eligibility.** Only a juvenile, as defined in Title 15, section 3003, subsection 14, who is 11 years of age or older at the time of commitment may be committed to the Mountain View Youth Development Center pursuant to this subchapter and Title 15, Part 6.~~

**2. Limitations.** A person juvenile may not be detained or confined in or committed to the facility Mountain View Correctional Facility if, upon petition by the commissioner or the commissioner's designee and after hearing, the court finds by a preponderance of the evidence that the person juvenile is more appropriately a subject for intensive treatment services that are available and provided by or through the Department of Health and Human Services. Prior to the hearing, the court shall provide notice of the hearing in writing or orally to the juvenile, the juvenile's parents, the juvenile's guardian or legal custodian, the attorney for the State and the Department of Health and Human Services.

**3. Certification.** When a person juvenile is detained or confined in or committed to the Mountain View ~~Youth Development Center~~ Correctional Facility, the court ordering the detention or ~~commitment~~ confinement shall certify on the mittimus the ~~person's~~ juvenile's birthplace, parentage and legal residence.

**Sec. 16. 34-A MRSA §4105**, as enacted by PL 1991, c. 400 and amended by PL 1999, c. 401, Pt. J, §6 and PL 2001, c. 439, Pt. G, §8, is further amended to read:

**§4105. Juvenile detainees generally**

All juvenile detainees at the Mountain View ~~Youth Development Center~~ Correctional Facility must be detained in accordance with the orders of the court and the rules of the department.

**Sec. 17. 34-A MRSA §4106**, as amended by PL 2005, c. 488, §13, is further amended to read:

**§4106. Powers of employees**

Employees of the Mountain View ~~Youth Development Center~~ Correctional Facility have the same power as sheriffs in their respective counties to search for and apprehend escapees from the facility, when authorized to do so by the superintendent.

**Sec. 18. 34-A MRSA §4107**, as enacted by PL 1991, c. 400 and amended by PL 1999, c. 401, Pt. J, §6 and PL 2001, c. 439, Pt. G, §8, is further amended to read:

**§4107. Transportation**

All court-ordered and court-related transportation of juvenile detainees to and from the Mountain View ~~Youth Development Center~~ Correctional Facility is the responsibility of the sheriff of the county in which the court is located.

**Sec. 19. 34-A MRSA §4108, sub-§1**, as enacted by PL 1991, c. 400 and amended by PL 2001, c. 439, Pt. G, §8, is further amended to read:

**1. Generally.** When the behavior of a juvenile residing at the Mountain View ~~Youth Development Center~~ Correctional Facility presents a high likelihood of imminent harm to that juvenile or to others, presents a substantial and imminent threat of destruction of property or demonstrates a proclivity to be absent from the facility without leave as evidenced by a stated intention to escape from the facility or by a recent attempted or actual escape from any detention or correctional facility, the juvenile may be placed under observation if the juvenile demonstrates that anything less restrictive would be ineffectual for the control of the juvenile's behavior.

**Sec. 20. 34-A MRSA §4111, sub-§§1 and 2**, as enacted by PL 1999, c. 583, §44 and amended by PL 2001, c. 439, Pt. G, §8, are further amended to read:

**1. Juvenile client.** The commissioner has all the power over a juvenile client that a guardian has over a ward and that a parent has over a child with regard to person, allowable property that the juvenile client has at the Mountain View ~~Youth Development Center~~ Correctional Facility, earnings that the juvenile client receives during the juvenile client's stay at the Mountain View ~~Youth Development Center~~ Correctional Facility and the rehabilitation of ~~every~~ the juvenile client. If a juvenile client is or becomes 18 years of age while still ~~under commitment~~ confined at the facility, the statutory guardianship of the commissioner over the juvenile client terminates, but the juvenile client remains subject to the control of the commissioner; ~~and the staff and rules of the Mountain View Youth Development Center until the expiration of the period of commitment or~~ Correctional Facility until discharge from the Mountain View ~~Youth Development Center~~ Correctional Facility.

**2. Juvenile detainee.** The commissioner has all the power over a juvenile detainee that a guardian has over a ward and that a parent has over a child with regard to necessary medical care. If a juvenile detainee is or becomes 18 years of age while still detained, the statutory guardianship of the commissioner over the juvenile detainee terminates, but the juvenile remains subject to the control of the commissioner; ~~and the staff and rules of the Mountain View Youth Development Center~~ Correctional Facility until release

from the Mountain View ~~Youth Development Center~~ Correctional Facility.

**Sec. 21. 34-A MRSA §4112**, as amended by PL 2003, c. 410, §20, is repealed.

**Sec. 22. 34-A MRSA §4113**, as amended by PL 2003, c. 410, §21, is repealed.

**Sec. 23. 34-A MRSA §4114**, as amended by PL 2005, c. 488, §18, is repealed.

**Sec. 24. 34-A MRSA §4115**, as enacted by PL 1999, c. 583, §45 and amended by PL 2001, c. 439, Pt. G, §8, is repealed.

**Sec. 25. 34-A MRSA §4116**, as amended by PL 2003, c. 410, §22 and c. 689, Pt. B, §6, is repealed.

**Sec. 26. 34-A MRSA §4117**, as amended by PL 2015, c. 320, §1, is further amended to read:

**§4117. Confinement of prisoners**

The commissioner may confine adults sentenced and committed to the custody of the department ~~who have not attained 26 years of age, except that, until April 30, 2017, the commissioner may confine adults of any age who have been sentenced and committed to the department, in the Mountain View Youth Development Center~~ Correctional Facility as long as the housing facilities for ~~adult offenders~~ prisoners are fully separated from the housing facilities for juvenile detainees and juvenile clients and the commissioner maintains at all times full compliance with mandatory sight and sound separation standards established by federal law. All provisions of this Title that are applicable to prisoners apply to ~~adult offenders~~ prisoners confined in the Mountain View ~~Youth Development Center~~ Correctional Facility as if they were confined in a correctional facility housing only adults.

**Sec. 27. 34-A MRSA §4118** is enacted to read:

**§4118. Prisoners generally**

**1. Evaluation.** Before assignment to the Mountain View Correctional Facility, prisoners must be evaluated for security status, program needs and emotional stability by the classification process approved by the commissioner.

**2. Transferred prisoners.** All prisoners transferred to the Mountain View Correctional Facility must be detained and confined in accordance with the sentences of the court and the rules of the department.

**3. Education.** The superintendent shall maintain suitable courses for academic and career and technical education of the prisoners.

A. The superintendent shall maintain necessary equipment and employ suitable qualified instructors as necessary to carry out the objectives of the Mountain View Correctional Facility's programs.

B. Before employing instructors in career and technical education, the superintendent shall obtain the approval of the Department of Education.

**4. Employment.** The commissioner may authorize the employment of prisoners of the Mountain View Correctional Facility on public works with any department, agency or entity of the State or county or local government and may authorize the use of prisoners to provide assistance in the improvement of property owned by nonprofit organizations.

A. The commissioner shall adopt rules that the commissioner considers proper to ensure the care and treatment of the prisoners and the safe working conditions of prisoners and department employees.

B. The purpose of the employment authorized in this subsection is to provide training to the prisoner and to be a form of public restitution for the crime or crimes committed by the prisoner.

C. The prisoners employed under this subsection may not be compensated monetarily for the work performed.

D. The commissioner may request that nonprofit organizations pay for the transportation of the prisoners and pay the per diem compensation of correctional officers or instructors who must accompany the prisoners or oversee the work to be performed.

**5. Escape.** A prisoner who escapes from the Mountain View Correctional Facility, or from any assignment beyond the grounds of the facility, is guilty of escape under Title 17-A, section 755.

**Sec. 28. 34-A MRSA §5402, sub-§2, ¶H,** as amended by PL 2005, c. 328, §25, is further amended to read:

H. Issue warrants for the arrest of parole violators and juveniles who violate conditions of placement on community reintegration status pursuant to ~~sections~~ section 3810 and former section 4112;

**Sec. 29. 34-B MRSA §6205,** as amended by PL 2011, c. 542, Pt. A, §134, is further amended to read:

**§6205. Services for juveniles committed to Long Creek Youth Development Center**

**1. Department authority.** The department may provide consultation services to any juvenile with an intellectual disability or autism committed to the Long Creek Youth Development Center ~~or the Mountain View Youth Development Center~~ if those services are requested by the Commissioner of Corrections or the commissioner's designee. Consultation services may include participation by appropriate department professionals on the Classification Committee of the Long Creek Youth Development Center ~~or the Classification~~

~~Committee of the Mountain View Youth Development Center~~ in order to assist in the design of individual treatment plans to provide habilitation, education and skill training to juveniles with an intellectual disability or autism in residence at the Long Creek Youth Development Center ~~or the Mountain View Youth Development Center.~~

**2. Support services.** Whenever a program has been designed for a juvenile with an intellectual disability or autism by the Classification Committee of the Long Creek Youth Development Center ~~or the Classification Committee of the Mountain View Youth Development Center~~ and the classification committee has included participation by the department professionals, the department shall provide, insofar as possible, support services to implement that program.

**3. Case management.** The department may provide case management services to juveniles with intellectual disabilities or autism who are released from the Long Creek Youth Development Center ~~or the Mountain View Youth Development Center.~~

**Sec. 30. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 34-A, chapter 3, subchapter 8, in the subchapter headnote, the words "mountain view youth development center" are amended to read "mountain view correctional facility" 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 June 8, 2017.

**CHAPTER 149**

**S.P. 504 - L.D. 1458**

**An Act To Amend the Law Relating to the Crime of Hindering Apprehension or Prosecution**

**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 laws relating to the crime of hindering apprehension or prosecution do not include hindering the apprehension or prosecution of persons who violate probation, supervised release for sex offenders, or the terms of deferred disposition, administrative release or parole and therefore create significant barriers to timely arrest and prosecution that are of immediate concern; 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. 17-A MRSA §753, sub-§§1-C and 1-D** are enacted to read:

**1-C.** A person is guilty of hindering apprehension or prosecution if the person hinders the apprehension or prosecution of the other person for a violation of administrative release, probation, supervised release for sex offenders or parole by any means described in subsection 1-B, paragraphs A to F with the intent to hinder, prevent or delay discovery, apprehension, prosecution, revocation or punishment for the violation. The sentencing class for hindering apprehension or prosecution of the other person is one class less than the crime for which the other person was originally sentenced, except that if the crime for which the other person was originally sentenced is a Class E crime, hindering apprehension or prosecution is a Class E crime.

**1-D.** A person is guilty of hindering apprehension or prosecution if the person hinders the apprehension or prosecution of the other person for a violation of deferred disposition by any means described in subsection 1-B, paragraphs A to F with the intent to hinder, prevent or delay discovery, apprehension, prosecution, termination of the period of deferment or punishment for the violation or crime to which the other person originally pled guilty. The sentencing class for hindering apprehension or prosecution of the other person is one class less than the crime for which the other person originally pled guilty, except that if the crime to which the other person originally pled guilty is a Class E crime, hindering apprehension or prosecution is a Class E crime.

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

Effective June 8, 2017.

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**CHAPTER 150**  
**S.P. 182 - L.D. 547**

**An Act To Update Maine's**  
**Fishing Laws**

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

**Sec. 1. 12 MRSA §10001, sub-§6, ¶¶D, G and H**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, are repealed.

**Sec. 2. 12 MRSA §10001, sub-§53-A** is enacted to read:

**53-A. River herring.** "River herring" means the species *Alosa pseudoharengus*, commonly called alewife, and *Alosa aestivalis*, commonly called blueback herring.

**Sec. 3. 12 MRSA §12457, sub-§2**, as enacted by PL 2003, c. 655, Pt. B, §245 and affected by §422, is amended to read:

**2. Prohibition.** A person may not fish in inland waters closed to fishing as described in this section except that a person may fish for alewives river herring and smelts in the manner provided under the laws regulating marine resources.

**Sec. 4. 12 MRSA §12506**, as amended by PL 2015, c. 494, Pt. A, §9, is further amended to read:

**§12506. Eel, sucker, lamprey and yellow perch harvesting method permit; elver prohibition; limitations on river herring harvesting**

**1. Permit required.** Except as otherwise authorized pursuant to this Part and except as provided in subsection 5-A, a person may not fish for or possess the following fish using the harvesting methods listed in subsection 2 without a valid permit issued under this section:

- B. Eels;
- C. Suckers;
- D. Lampreys; or
- E. Yellow perch.

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. Issuance.** The commissioner may adopt rules providing for the issuance of permits to fish for or possess the following fish using the following harvesting methods in the inland waters of the State, provided the permits do not interfere with any rights granted under section 6131:

- A. Eels using eel pots or weirs;
- B. Suckers and yellow perch using trap nets, dip nets or spears;
- C. Lampreys by hand or using hand-held dip nets; and
- E. Yellow perch using seines.

The commissioner may place conditions on the use of gear allowed under this subsection and may prohibit or restrict the use of any gear used to concentrate species for harvest under this subsection.

Each day a person violates a condition or restriction placed on the use of gear allowed under this subsection, that person commits a Class E crime.

**3. Fees; transfer of permit.** The minimum fee for an individual permit for suckers, lampreys and yellow perch is \$44. The holder of an individual permit for suckers, lampreys or yellow perch may purchase a crew permit for suckers, lampreys and yellow perch for \$102, authorizing up to 3 persons to engage in the permitted activity. The annual fee for an eel pot or weir permit is \$102. An eel pot or eel weir permit is not transferable.

**4. Five-year limited entry; eel weirs.** A person is ineligible to receive an eel weir permit unless that person possessed a valid eel weir permit for calendar year 1995. The department shall adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A regarding the issuance of eel weir permits. The number of weirs and the number of square miles of watersheds in this State fished by eel weirs may be no more than those permitted in calendar year 1995.

**5-A. Limitations on river herring harvesting.** Except as provided in this subsection a person may not harvest ~~alewives~~ river herring.

A. A person may fish for ~~alewives~~ river herring by use of a dip net or single hook and line for consumption by that person or members of that person's family, as long as the person takes or possesses no more than 25 fish in any day and as long as the ~~alewives~~ river herring are taken downstream from any location where a municipality or other person has been granted exclusive rights under section 6131; and

B. A person may fish for or possess ~~alewives~~ river herring from inland waters if that person has been granted fishing rights under section 6131.

A person that violates this subsection commits a Class E crime.

**5-B. Harvesting suckers for bait without a permit.** Notwithstanding subsection 1, a person may take suckers for use as bait for fishing in inland waters as provided in section 12551-A without a permit under subsection 2.

**6. Eels and elvers prohibitions.** The following prohibitions apply to the harvesting of eels and elvers in inland waters.

A. A person may not fish for or take elvers from inland waters.

B. A person other than the owner of a weir used to fish for or take eels in inland waters may not

tend that weir while the weir is immersed unless that person has in the person's possession written permission from the owner to tend the weir or is in the presence of the owner and has the owner's permission to tend the weir.

A person who violates this subsection commits a Class E crime.

**7. Other harvesting methods for suckers.** Notwithstanding subsection 1, a person licensed or otherwise entitled to fish in Maine waters may take suckers for that person's use in all rivers, brooks and streams that are open to fishing between April 1st and June 30th of each calendar year by the use of a hand spear, by bow and arrow or by snagging.

A. A person may not use a bow and arrow to harvest suckers unless the arrow used has a barbed or pronged point and the arrow is attached to the bow with a line.

B. The following penalties apply to violations of paragraph A.

(1) A person who violates paragraph A commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

(2) A person who violates paragraph A 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.

**8. Reports required.** A person issued a permit under this section shall submit a completed report on forms provided by the department with the following information: water name and location, including the town and county of waters fished; date fished; total catch; gear type and quantity; number of crew; amount of time the gear is set; total gear in the water; water depth; total time the boat is on the water; species and pounds harvested; license number of the dealer the catch was sold to or the disposition of the catch; town where the catch was brought to shore; boat registration number; vessel name; and the harvester's name, telephone number and permit number. A holder of an eel permit must submit the report by the date specified on the permit. A holder of a sucker, lamprey or yellow perch permit must submit the report by December 31st of each year. All data submitted as part of the report are for scientific purposes only and are confidential and not part of a public record within the meaning of Title 1, chapter 13, subchapter 1, except that the commissioner may disclose data collected under this subsection if released in a form that is statistical or general in nature.

If a person issued a permit under this section fails to provide information required under this section, the commissioner may refuse to renew or may revoke that

person's permit. If a person becomes ineligible for a permit as a result of a violation of this section, that person may request a hearing in accordance with section 10905.

**Sec. 5. 12 MRSA §12602**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

**§12602. Violation of number, amount, weight or size limits**

A person may not:

**1. Fish in violation of certain rules.** Fish in violation of the number, amount, weight or size limits established by rules adopted by the commissioner; or

**2. Possess fish in violation of certain rules.** Possess fish in violation of the number, amount, weight or size limits established by rules adopted by the commissioner; or

**3. Alter fish from their natural state prior to measuring for bag limit.** When rules adopted by the commissioner limit the volume of fish that may be taken, alter those fish from or possess fish altered from their natural state prior to their being measured for compliance with the volume limit.

A person who violates this section commits a Class E crime. The court shall also impose a fine of \$20 for each fish unlawfully possessed, none of which may be suspended.

**Sec. 6. 12 MRSA §12606, sub-§1**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

**1. Prohibition.** A person may not ice fish in inland waters closed to ice fishing, except that person may fish for alewives river herring and smelts in the manner provided under the laws regulating marine resources.

**Sec. 7. 12 MRSA §12656, sub-§1, ¶B**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

B. Except as otherwise provided, use any grapnel, spear, spear gun, trawl, weir, gaff, seine, gill net, trap or set lines for fishing.

(1) A person may take suckers, eels, alewives river herring and yellow perch in accordance with section 12506.

(2) A person may take baitfish with a baitfish trap, as defined in section 10001, subsection 7.

**Sec. 8. 12 MRSA §12759**, as amended by PL 2003, c. 655, Pt. B, §303 and affected by §422, is further amended to read:

**§12759. Stocking river herring**

**1. Prohibition.** A person may not stock alewives river herring in Hogan Pond or Whitney Pond in the Town of Oxford or any waters that drain into or out of those ponds.

**2. Penalty.** The following penalties apply to violations of this section.

A. 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.

B. 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.

**Sec. 9. 12 MRSA §12760, sub-§1**, as amended by PL 2011, c. 612, §1, is further amended to read:

**1. Commissioners' authority.** In order to conserve, develop or restore anadromous or migratory fish resources, the commissioner and the Commissioner of Marine Resources jointly may require a fishway to be erected, maintained, repaired or altered by the owners, lessors or other persons in control of any dam or other artificial obstruction within inland waters frequented by alewives river herring, shad, salmon, sturgeon or other anadromous or migratory fish species.

The commissioners may not require or authorize a fishway or fish bypass structure at a dam on the outlet of Sebec Lake in the Town of Sebec or at a dam on the Sebec River in the Town of Milo or at a dam on the outlet of Schoodic Lake in Lake View Plantation or at a dam on the outlet of Sebocis Lake in Township 4, Range 9 NWP that would allow the upstream passage of an invasive fish species known to be present downstream in the Piscataquis River or Penobscot River drainage. For the purposes of this section, "invasive fish species" means those invasive fish species identified in the action plan for managing invasive aquatic species developed pursuant to Title 38, section 1872.

See title page for effective date.

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**CHAPTER 151**

**H.P. 539 - L.D. 759**

**An Act To Clarify the  
Financial Authority of Sewer  
and Sanitary Districts**

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

**Sec. 1. 38 MRSA §1033, sub-§1, ¶¶G and H**, as enacted by PL 2013, c. 555, §6, are amended to read:

G. Section 1048, subsection 1, paragraph B and subsection 5; ~~and~~

H. Section ~~1051~~; 1050; ~~and~~

**Sec. 2. 38 MRSA §1033, sub-§1, ¶I** is enacted to read:

I. Section 1051.

**Sec. 3. 38 MRSA §1033, sub-§2, ¶C**, as enacted by PL 2013, c. 555, §6, is repealed.

**Sec. 4. 38 MRSA §1050, sub-§3**, as enacted by PL 2013, c. 555, §6, is amended to read:

**3. Collection.** The treasurer of the qualified sewer district ~~may has full and complete authority and power to collect rates and all rates must be committed to the treasurer fees established under section 1048 or otherwise authorized by law.~~ The treasurer may, after demand for payment, sue in the name of the qualified sewer district in a civil action in any court of competent jurisdiction for any rates remaining unpaid. In addition to other methods established by law for the collection of rates and without waiver of the right to sue for the collection of rates, the lien created under subsection 2 may be enforced in the following manner.

A. ~~When rates have been committed to the treasurer of the qualified sewer district for collection, the~~ The treasurer may, after the expiration of 3 months and within one year after the date when the rates became due and payable, give to the owner of the real estate served, leave at the owner's last and usual place of abode or send by certified mail, return receipt requested, to the owner's last known address a notice in writing signed by the treasurer or bearing the treasurer's facsimile signature, stating the amount of the rates due, describing the real estate upon which the lien is claimed and stating that a lien is claimed on the real estate to secure the payment of the rates and demanding the payment of the rates within 30 days after service or mailing, with \$1 added to the demanded rate for the treasurer and an additional fee to cover mailing the notice by certified mail, return receipt requested. The notice must contain a statement that the qualified sewer district is willing to arrange installment payments of the outstanding debt.

B. After the expiration of 30 days and within one year after giving notice pursuant to paragraph A, the treasurer of the qualified sewer district shall record in the registry of deeds of the county in which the property of the person is located a certificate signed by the treasurer setting forth the amount of the rates due, describing the real estate on which the lien is claimed and stating that a lien is claimed on the real estate to secure payment of the rates and that a notice and demand for payment has been given or made in accordance with

this section and stating further that the rates remain unpaid. At the time of the recording of the certificate in the registry of deeds, the treasurer shall file in the office of the qualified sewer district a true copy of the certificate and shall mail a true copy of the certificate by certified mail, return receipt requested, to each record holder of any mortgage on the real estate, addressed to the record holder at the record holder's last and usual place of abode.

C. The filing of the certificate in the registry of deeds creates a mortgage held by the qualified sewer district on the real estate described in the certificate that has priority over all other mortgages, liens, attachments and encumbrances of any nature, except liens, attachments and claims for taxes, and gives to the qualified sewer district all the rights usually possessed by mortgagees, except that the qualified sewer district as mortgagee does not have any right to possession of that real estate until the right of redemption has expired.

D. If the mortgage created under paragraph C, together with interest and costs, has not been paid within 18 months after the date of filing the certificate in the registry of deeds in accordance with paragraph B, the mortgage is foreclosed and the right of redemption expires. The filing of the certificate in the registry of deeds is sufficient notice of the existence of the mortgage. In the event that the rate, with interest and costs, is paid within the period of redemption, the treasurer of the qualified sewer district shall discharge the mortgage in the same manner as provided for discharge of real estate mortgages.

E. The owner of the real estate shall pay the sum of the fees for receiving, recording and indexing the lien, or its discharge, as established by Title 33, section 751, plus \$13, plus all certified mail, return receipt requested, fees.

F. Not more than 45 days or less than 30 days before the foreclosing date of the mortgage created under paragraph C, the treasurer of the qualified sewer district shall notify the party named on the mortgage and each record holder of a mortgage on the real estate in a writing signed by the treasurer or bearing the treasurer's facsimile signature and left at the holder's last and usual place of abode or sent by certified mail, return receipt requested, to the holder's last known address of the impending automatic foreclosure and indicating the exact date of foreclosure. For sending this notice, the qualified sewer district is entitled to receive \$3 plus all certified mail, return receipt requested, fees, which must be added to and become a part of the amount due under paragraph E. If notice is not given in the time period specified in this para-

graph, the person not receiving timely notice has up to 30 days after the treasurer provides notice as specified in this paragraph in which to redeem the mortgage. The notice of impending automatic foreclosure must be substantially in the following form:

**STATE OF MAINE**

..... **SEWER DISTRICT**

**NOTICE OF IMPENDING AUTOMATIC**

**FORECLOSURE**

**SEWER LIEN**

**M.R.S.A., Title 38, section 1050**

**IMPORTANT: DO NOT DISREGARD THIS NOTICE**

**YOU WILL LOSE YOUR PROPERTY UNLESS YOU PAY THE CHARGES, COSTS AND INTEREST FOR WHICH A LIEN ON YOUR PROPERTY HAS BEEN CREATED BY THE**

..... **SEWER DISTRICT.**

**TO: .....**

**IF THE LIEN FORECLOSES, THE ..... SEWER DISTRICT WILL OWN YOUR PROPERTY, SUBJECT ONLY TO MUNICIPAL TAX LIENS.**

.....

**District Treasurer**

G. The qualified sewer district shall pay the treasurer \$1 for the notice, \$1 for filing the lien certificate and the amount paid for certified mail, return receipt requested, fees. The fees for recording the lien certificate must be paid by the qualified sewer district to the register of deeds.

H. A discharge of the certificate given after the right of redemption has expired, which discharge has been recorded in the registry of deeds for more than one year, terminates all title of the qualified sewer district derived from that certificate or any other recorded certificate for which the right of redemption expired 10 years or more prior to the foreclosure date of this discharge lien, unless the qualified sewer district has conveyed any interest based upon the title acquired from any of the affected liens.

**Sec. 5. 38 MRSA §1055**, as enacted by PL 2013, c. 555, §6, is amended to read:

**§1055. Investments**

A sewer district may invest its funds, including sinking funds, reserve funds and trust funds, ~~to the extent that the term of any instrument creating the funds does not prohibit the investment, in shares of an investment company registered under the federal Investment Company Act of 1940, whose shares are registered under the United States Securities Act of 1933, only if the investments of the investment company are limited to obligations of the United States or any agency or instrumentality, corporate or otherwise, of the United States or repurchase agreements secured by obligations of the United States or any agency or instrumentality, corporate or otherwise, of the United States in accordance with this section.~~ This section is in addition to, and not in limitation of, any power of a sewer district to invest its funds.

**1. Deposit or investment of funds.** A sewer district may invest all district funds, including reserve funds and trust funds, if the terms of the instrument, order or article creating the fund do not prohibit the investment, as follows:

A. In accounts or deposits of institutions insured by the Federal Deposit Insurance Corporation, the National Credit Union Share Insurance Fund or the successors to these federal programs.

(1) Accounts and deposits exceeding an amount equal to 25% of the capital, surplus and undivided profits of any trust company or national bank or a sum exceeding an amount equal to 25% of the reserve fund and undivided profit account of a mutual savings bank or state or federal savings and loan association on deposit at any one time must be secured by the pledge of certain securities as collateral or fully covered by insurance.

(a) The collateral must be in an amount equal to the excess deposit. The trustees shall determine the value of the pledged securities on the basis of market value and shall review the value of the pledged securities on the first business day of January and July of each year.

(b) The collateral may consist only of securities in corporate bond and Maine corporate bond. The securities must be held in a depository institution approved by the trustees and pledged to indemnify the sewer district against any loss. The depository institution shall notify the trustees of the pledging when the securities are deposited;

B. In repurchase agreements with respect to obligations of the United States Government, as described in Title 30-A, section 5712, subsection 1, as long as the market value of the underlying ob-

ligation is equal to or greater than the amount of the sewer district's investment and either the sewer district's security entitlement with respect to the underlying obligation is created pursuant to the provisions of Title 11, Article 8-A and other applicable law or the sewer district's security interest is perfected pursuant to Title 11, Article 9-A and other applicable law, except that, if the term of the repurchase agreement is not in excess of 96 hours, the sewer district's security interest with respect to the underlying obligation need not be perfected as long as an executed Public Securities Association form of master repurchase agreement is on file with the counterparty prior to the date of the transaction;

C. In the shares of an investment company registered under the United States Investment Company Act of 1940, Public Law 76-768, whose shares are registered under the United States Securities Act of 1933, Public Law 73-22, if the investments of the fund are limited to bonds and other direct obligations of the United States Government, as described in Title 30-A, section 5712, subsection 1, or repurchase agreements secured by bonds and other direct obligations of the United States Government, as described in Title 30-A, section 5712, subsection 1; or

D. The trustees may enter into an agreement with any financial institution with trust powers authorized to do business in the State for the safekeeping of the reserve funds, or trust funds, of the sewer district. Services must consist of the safekeeping of the funds, collection of interest and dividends and any other fiscal service that is normally covered in a safekeeping agreement. Investment of reserve funds or trust funds deposited under a safekeeping agreement may be managed either by the financial institution with which the funds are deposited or by an investment advisor registered with the National Association of Securities Dealers, federal Securities and Exchange Commission or other governmental agency or instrumentality with jurisdiction over investment advisors, to act in such capacity pursuant to an investment advisory agreement providing for investment management and periodic review of portfolio investments. Investment of funds on behalf of the district under this paragraph is governed by the rule of prudence, according to Title 18-B, sections 802 to 807 and Title 18-B, chapter 9. The contracting parties shall give assurance of proper safeguards that are usual to these contracts and shall furnish insurance protection satisfactory to both parties.

**2. Government unit bonds.** A sewer district may invest in:

A. The bonds and other direct obligations of the United States, or the bonds and other direct obli-

gations or participation certificates issued by any agency, association, authority or instrumentality created by the United States Congress or any executive order;

B. The bonds and other direct obligations issued or guaranteed by any state or by any political subdivision, instrumentality or agency of any state, if the securities are rated within the 3 highest grades by any rating service approved by the Superintendent of Financial Institutions;

C. The bonds and other direct obligations issued or guaranteed by this State, or issued by any instrumentality or agency of this State, or any political subdivision of the State that is not in default on any of its outstanding funded obligations; or

D. Prime bankers' acceptances and prime commercial paper.

Investments made pursuant to this subsection are limited to direct obligations of the issuer in which the sewer district directly owns the underlying security. Obligations created from, or whose value depends on or is derived from, the value of one or more underlying assets or indexes of asset values in which the sewer district owns no direct interest do not qualify as investments under this subsection.

**3. Corporate securities.** A sewer district may invest in:

A. The bonds and other obligations of any United States or Canadian corporation if the securities are rated within the 3 highest grades by any rating service approved by the Superintendent of Financial Institutions and are payable in United States funds. Not more than 2% of the total assets of the permanent reserve fund, permanent trust fund or other permanent fund being invested may be invested in the securities of any one such corporation; and

B. The bonds and other obligations of any Maine corporation, actually conducting in this State the business for which that corporation was created, that, for a period of 3 successive fiscal years or for a period of 3 years immediately preceding the investment, has earned or received an average net income of not less than 2 times the interest on the obligations in question and all prior liens or, in the case of water companies subject to the jurisdiction of the Public Utilities Commission, an average net income of not less than 1 1/2 times the interest on the obligations in question and all prior liens. Not more than 20% of the total assets of the permanent reserve fund, permanent trust fund or other permanent fund being invested may be invested in these securities of Maine corporations and not more than 2% of that fund may be invested in the securities of any single corporation.

**4. Retention of unauthorized securities.** Sewer districts may acquire and hold securities not authorized by law but that have been acquired in settlements, reorganizations, recapitalizations, mergers or consolidations or by receipt of stock dividends or the exercise of rights applicable to securities held by sewer districts and may continue to hold these securities at the discretion of the trustees. Sewer districts may continue to hold at the discretion of the trustees securities under authorization of law.

**5. Standard of prudence.** All investments made under this section must be made with the judgment and care that persons of prudence, discretion and intelligence, under circumstances then prevailing, exercise in the management of their own affairs, not for speculation but for investment, considering:

A. The safety of principal and preservation of capital in the overall portfolio;

B. Maintenance of sufficient liquidity to meet all operating and other cash requirements with which a fund is charged that are reasonably anticipated; and

C. The income to be derived throughout budgetary and economic cycles, taking into account prudent investment risk constraints and the cash flow characteristics of the portfolio.

This standard must be applied to the overall investment portfolio of the sewer district and not to individual items within a diversified portfolio.

**Sec. 6. 38 MRSA §1164**, as enacted by PL 1993, c. 651, §7, is amended to read:

#### **§1164. Investments**

A sanitary district may invest its funds, including sinking funds, reserve funds and trust funds, ~~to the extent that the terms of any instrument creating the funds do not prohibit the investment, in shares of an investment company registered under the federal Investment Company Act of 1940, whose shares are registered under the United States Securities Act of 1933, only if the investments of the investment company are limited to obligations of the United States or any agency or instrumentality, corporate or otherwise, of the United States or repurchase agreements secured by obligations of the United States or any agency or instrumentality, corporate or otherwise, of the United States in accordance with this section.~~ This section is in addition to, and not in limitation of, any power of a sanitary district to invest its funds.

**1. Deposit or investment of funds.** A sanitary district may invest all district funds, including reserve funds and trust funds, if the terms of the instrument, order or article creating the fund do not prohibit the investment, as follows:

A. In accounts or deposits of institutions insured by the Federal Deposit Insurance Corporation, the National Credit Union Share Insurance Fund or the successors to these federal programs.

(1) Accounts and deposits exceeding an amount equal to 25% of the capital, surplus and undivided profits of any trust company or national bank or a sum exceeding an amount equal to 25% of the reserve fund and undivided profit account of a mutual savings bank or state or federal savings and loan association on deposit at any one time must be secured by the pledge of certain securities as collateral or fully covered by insurance.

(a) The collateral must be in an amount equal to the excess deposit. The trustees shall determine the value of the pledged securities on the basis of market value and shall review the value of the pledged securities on the first business day of January and July of each year.

(b) The collateral may consist only of securities in corporate bond and Maine corporate bond. The securities must be held in a depository institution approved by the trustees and pledged to indemnify the sanitary district against any loss. The depository institution shall notify the trustees of the pledging when the securities are deposited.

B. In repurchase agreements with respect to obligations of the United States Government, as described in Title 30-A, section 5712, subsection 1, as long as the market value of the underlying obligation is equal to or greater than the amount of the sanitary district's investment and either the sanitary district's security entitlement with respect to the underlying obligation is created pursuant to the provisions of Title 11, Article 8-A and other applicable law or the sanitary district's security interest is perfected pursuant to Title 11, Article 9-A and other applicable law, except that, if the term of the repurchase agreement is not in excess of 96 hours, the sanitary district's security interest with respect to the underlying obligation need not be perfected as long as an executed Public Securities Association form of master repurchase agreement is on file with the counterparty prior to the date of the transaction;

C. In the shares of an investment company registered under the United States Investment Company Act of 1940, Public Law 76-768, whose shares are registered under the United States Securities Act of 1933, Public Law 73-22, if the investments of the fund are limited to bonds and other direct obligations of the United States Government, as described in Title 30-A, section 5712,

subsection 1, or repurchase agreements secured by bonds and other direct obligations of the United States Government, as described in Title 30-A, section 5712, subsection 1; or

D. The trustees may enter into an agreement with any financial institution with trust powers authorized to do business in the State for the safekeeping of the reserve funds, or trust funds, of the sanitary district. Services must consist of the safekeeping of the funds, collection of interest and dividends and any other fiscal service that is normally covered in a safekeeping agreement. Investment of reserve funds or trust funds deposited under a safekeeping agreement may be managed either by the financial institution with which the funds are deposited or by an investment advisor registered with the National Association of Securities Dealers, federal Securities and Exchange Commission or other governmental agency or instrumentality with jurisdiction over investment advisors, to act in such capacity pursuant to an investment advisory agreement providing for investment management and periodic review of portfolio investments. Investment of funds on behalf of the district under this paragraph is governed by the rule of prudence, according to Title 18-B, sections 802 to 807 and Title 18-B, chapter 9. The contracting parties shall give assurance of proper safeguards that are usual to these contracts and shall furnish insurance protection satisfactory to both parties.

**2. Government unit bonds.** A sanitary district may invest in:

A. The bonds and other direct obligations of the United States, or the bonds and other direct obligations or participation certificates issued by any agency, association, authority or instrumentality created by the United States Congress or any executive order;

B. The bonds and other direct obligations issued or guaranteed by any state or by any political subdivision, instrumentality or agency of any state, if the securities are rated within the 3 highest grades by any rating service approved by the Superintendent of Financial Institutions;

C. The bonds and other direct obligations issued or guaranteed by this State, or issued by any instrumentality or agency of this State, or any political subdivision of the State that is not in default on any of its outstanding funded obligations; or

D. Prime bankers' acceptances and prime commercial paper.

Investments made pursuant to this subsection are limited to direct obligations of the issuer in which the sanitary district directly owns the underlying security. Obligations created from, or whose value depends on or is derived from, the value of one or more underly-

ing assets or indexes of asset values in which the sanitary district owns no direct interest do not qualify as investments under this subsection.

**3. Corporate securities.** A sanitary district may invest in:

A. The bonds and other obligations of any United States or Canadian corporation if the securities are rated within the 3 highest grades by any rating service approved by the Superintendent of Financial Institutions and are payable in United States funds. Not more than 2% of the total assets of the permanent reserve fund, permanent trust fund or other permanent fund being invested may be invested in the securities of any one such corporation; and

B. The bonds and other obligations of any Maine corporation, actually conducting in this State the business for which that corporation was created, that, for a period of 3 successive fiscal years or for a period of 3 years immediately preceding the investment, has earned or received an average net income of not less than 2 times the interest on the obligations in question and all prior liens or, in the case of water companies subject to the jurisdiction of the Public Utilities Commission, an average net income of not less than 1 1/2 times the interest on the obligations in question and all prior liens. Not more than 20% of the total assets of the permanent reserve fund, permanent trust fund or other permanent fund being invested may be invested in these securities of Maine corporations and not more than 2% of that fund may be invested in the securities of any single corporation.

**4. Retention of unauthorized securities.** Sanitary districts may acquire and hold securities not authorized by law but that have been acquired in settlements, reorganizations, recapitalizations, mergers or consolidations or by receipt of stock dividends or the exercise of rights applicable to securities held by sanitary districts and may continue to hold these securities at the discretion of the trustees. Sanitary districts may continue to hold at the discretion of the trustees securities under authorization of law.

**5. Standard of prudence.** All investments made under this section must be made with the judgment and care that persons of prudence, discretion and intelligence, under circumstances then prevailing, exercise in the management of their own affairs, not for speculation but for investment, considering:

A. The safety of principal and preservation of capital in the overall portfolio;

B. Maintenance of sufficient liquidity to meet all operating and other cash requirements with which a fund is charged that are reasonably anticipated; and

C. The income to be derived throughout budgetary and economic cycles, taking into account prudent investment risk constraints and the cash flow characteristics of the portfolio.

This standard must be applied to the overall investment portfolio of the sanitary district and not to individual items within a diversified portfolio.

See title page for effective date.

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**CHAPTER 152**  
**S.P. 323 - L.D. 984**

**An Act To Separate the Authorities under the Licenses for Property and Casualty Insurance Adjusters and Workers' Compensation Insurance Adjusters**

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

**Sec. 1. 24-A MRSA §1402, sub-§1, ¶B**, as amended by PL 2009, c. 511, Pt. C, §1, is further amended to read:

B. Property and casualty insurance adjusters who are employees of insurers or workers' compensation insurance adjusters who are employees of insurers;

**Sec. 2. 24-A MRSA §1402, sub-§11-A**, as enacted by PL 2009, c. 511, Pt. C, §3, is amended to read:

**11-A. Property and casualty insurance adjuster.** "Property and casualty insurance adjuster" means a person who adjusts property and casualty claims of any kind except for multiple peril crop insurance claims and workers' compensation claims.

**Sec. 3. 24-A MRSA §1402, sub-§11-B** is enacted to read:

**11-B. Workers' compensation insurance adjuster.** "Workers' compensation insurance adjuster" means a person who adjusts workers' compensation claims governed by Title 39 or 39-A. Notwithstanding any provision of law to the contrary, a person who on January 1, 2018 is licensed as a property and casualty insurance adjuster is automatically granted workers' compensation authority on that date.

**Sec. 4. 24-A MRSA §1415, sub-§3**, as amended by PL 2009, c. 511, Pt. C, §5, is further amended to read:

**3. Adjuster authorities.** A resident or nonresident adjuster may receive the following authorities under the license:

- A. Property and casualty insurance adjuster; ~~and~~
- B. Multiple peril crop insurance adjuster; and
- C. Workers' compensation insurance adjuster.

**Sec. 5. Effective date.** This Act takes effect January 1, 2018.

Effective January 1, 2018.

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**CHAPTER 153**  
**H.P. 714 - L.D. 1013**

**An Act To Clarify the Law Allowing Certificate of Approval Holders and Manufacturers or Suppliers of Spirits To Offer Mail-in Rebates**

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

**Sec. 1. 28-A MRSA §708, sub-§6**, as amended by PL 2013, c. 514, §1 and affected by §3, is further amended to read:

**6. Marketing and mail-in promotions.** Upon approval by the commission, promotional materials 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. Upon approval by the commission, a mail-in rebate may be provided to consumers through print or electronic media, attached to the spirits product or displayed near the spirits product where the spirits product is offered for sale for off-premises consumption. 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 authorized by this subsection must require the inclusion of the original dated sales receipt for the spirits product to which the rebate is applied. The commission may approve mail-in rebates that offer an incrementally greater discount based upon increased volume of purchased 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.

**Sec. 2. 28-A MRSA §708, first ¶**, as amended by PL 2013, c. 514, §2 and affected by §3, is further amended to read:

This section does not prohibit a certificate of approval holder from including 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 certifi-

cate, instant redeemable coupon or merchandise must be packaged by the certificate of approval holders at the brewery or winery. Upon approval of the bureau, a certificate of approval holder may offer a mail-in rebate for a malt liquor, wine or low-alcohol spirits product for consumers through print or electronic media, attached to the package of malt liquor, wine or low-alcohol spirits product or displayed near where the malt liquor, wine or low-alcohol spirits product is offered for sale for off-premises consumption. Mail-in rebates authorized by this paragraph must require the inclusion of the original dated sales receipt for the product to which the rebate is applied. Mail-in rebates must be redeemed by the certificate of approval holder and may not exceed the purchase price of the malt liquor, wine or low-alcohol spirits product to which the rebate is applied. The commission may approve mail-in rebates that offer an incrementally greater discount based upon increased volume of purchased product.

See title page for effective date.

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## CHAPTER 154

H.P. 742 - L.D. 1059

### An Act Concerning Bridges on Discontinued Town Ways

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

**Sec. 1. 23 MRSA §563, first ¶,** as enacted by PL 2001, c. 314, §2 and affected by §4, is amended to read:

The department shall inspect all structures on public ways.

**Sec. 2. 23 MRSA §566, sub-§3-A** is enacted to read:

**3-A. Proposed discontinuance of town ways; bridges.** If pursuant to section 3026-A a municipality or county proposes to discontinue a town way or public easement with a bridge, the municipality or county shall negotiate with and enter into an agreement with the department to remove the bridge or transfer ownership of the bridge to a municipality, county or state agency upon discontinuance of the town way or public easement.

**Sec. 3. 23 MRSA §3026-A, sub-§2, ¶B-1** is enacted to read:

B-1. The location of any bridge, as defined in section 562, subsection 2, on the town way or public easement and the status of negotiations

with the department with respect to the disposition of the bridge pursuant to section 566, subsection 3-A;

See title page for effective date.

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## CHAPTER 155

H.P. 778 - L.D. 1104

### An Act To Exempt School Resource Officers from Department of Education Background Check and Fingerprinting Requirements

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

**Sec. 1. 20-A MRSA §6103, sub-§11** is enacted to read:

**11. Exemptions.** An active duty law enforcement officer from a local law enforcement agency with jurisdiction over a school's premises who assists with school security, safety, emergency preparedness or emergency response or has been assigned other responsibilities concerning the school by the school or the local law enforcement agency is exempt from the provisions of this section.

See title page for effective date.

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## CHAPTER 156

S.P. 410 - L.D. 1219

### An Act To Amend the Laws Governing Forensic Examination Kits

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

**Sec. 1. 5 MRSA §3360-M,** as amended by PL 2009, c. 79, §4, is further amended to read:

**§3360-M. Payment for forensic examinations for alleged victims of sexual assault**

**1. Payment.** The board shall pay the costs of forensic examiner training as well as the costs of forensic examinations for alleged victims of ~~gross~~ sexual assault from the Victims' Compensation Fund. The board shall track expenditures for forensic examinations separately from all other expenditures. Forensic examination payments are not subject to any other provision of this chapter. For the purposes of this section, "sexual assault" means any crime enumerated in Title 17-A, chapter 11.

**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 \$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.

**3. Process for payment.** A licensed hospital or licensed health care practitioner that performs forensic examinations for alleged victims of ~~gross~~ sexual assault shall submit a bill to the Victims' Compensation Board directly for payment of the forensic examinations. The hospital or health care practitioner that performs a forensic examination shall take steps necessary to ensure the confidentiality of the alleged victim's identity. The bill submitted by the hospital or health care practitioner may not identify the alleged victim by name but must be assigned a tracking number ~~that corresponds to~~ assigned by the manufacturer of the forensic examination kit. The tracking number may not be the alleged victim's social security number. The hospital or health care practitioner that performs the examination may not bill the alleged victim or the alleged victim's insurer, nonprofit hospital or medical service organization or health maintenance organization for payment of the examination. The alleged victim is not required to report the alleged offense to a law enforcement agency.

**4. Other reimbursement.** The fact that forensic examinations are paid for separately through the Victims' Compensation Fund does not preclude alleged victims of ~~gross~~ sexual assault from seeking reimbursement for expenses other than those for the forensic examination. A victim seeking reimbursement from the Victims' Compensation Fund for expenses other than the forensic examination is subject to all other provisions of this chapter.

**5. Rules.** Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter ~~H-A~~ 2-A.

**Sec. 2. 24 MRSA §2986**, as amended by PL 2011, c. 59, §1 and c. 420, Pt. A, §21, is further amended to read:

**§2986. Performing forensic examinations for alleged victims of sexual assault**

**1. Standard forensic examination kit.** All licensed hospitals and licensed health care practitioners shall use a standard forensic examination kit devel-

oped and furnished by the Department of Public Safety pursuant to Title 25, section 2915 to perform forensic examinations for alleged victims of ~~gross~~ sexual assault. For the purposes of this section, "sexual assault" means any crime enumerated in Title 17-A, chapter 11.

**2. Victims' Compensation Board billing.** All licensed hospitals and licensed health care practitioners that perform forensic examinations for alleged victims of ~~gross~~ sexual assault shall submit a bill to the Victims' Compensation Board directly for payment of the forensic examinations. The Victims' Compensation Board shall determine what a forensic examination includes pursuant to Title 5, section 3360-M. The hospital or health care practitioner that performs a forensic examination shall take steps necessary to ensure the confidentiality of the alleged victim's identity. The bill submitted by the hospital or health care practitioner may not identify the alleged victim by name but must be assigned a tracking number ~~that corresponds to~~ assigned by the manufacturer of the forensic examination kit. The tracking number may not be the alleged victim's social security number. The Victims' Compensation Board shall pay the actual cost of the forensic examination up to a maximum of \$750. Licensed hospitals and licensed health care practitioners that perform forensic examinations for alleged victims of ~~gross~~ sexual assault may not bill the alleged victim or the alleged victim's insurer, nonprofit hospital or medical service organization or health maintenance organization for payment for the examination.

**3. Completed kit.** If the alleged victim has not reported the alleged offense to a law enforcement agency when the examination is complete, the hospital or health care practitioner shall then notify the nearest law enforcement agency, which shall transport and store the completed forensic examination kit for at least 90 days. The completed kit may be identified only by the tracking number. If during that 90-day period an alleged victim decides to report the alleged offense to a law enforcement agency, the alleged victim may contact the hospital or health care practitioner to determine the tracking number. The hospital or health care practitioner shall provide the alleged victim with the tracking number on the forensic examination kit and shall inform the alleged victim which law enforcement agency is storing the kit.

If the alleged victim reports the alleged offense to a law enforcement agency by the time the examination is complete, the investigating agency shall retain custody of the forensic examination kit.

If an examination is performed under subsection 5 and the alleged victim does not, within 60 days, regain a state of consciousness adequate to decide whether or not to report the alleged offense, the State may file a motion in the District Court relating to storing or processing the forensic examination kit. Upon finding

good cause and after considering factors, including, but not limited to, the possible benefits to public safety in processing the kit and the likelihood of the alleged victim's regaining a state of consciousness adequate to decide whether or not to report the alleged offense in a reasonable time, the District Court may order either that the kit be stored for additional time or that the kit be transported to the Maine State Police Crime Laboratory for processing, or such other disposition that the court determines just. In the interests of justice or upon motion by the State, the District Court may conduct hearings required under this paragraph confidentially and in camera and may impound pleadings and other records related to them.

**4. Other payment.** A licensed hospital or licensed health care practitioner is not precluded from seeking other payment for treatment or services provided to an alleged victim that are outside the scope of the forensic examination.

**5. Implied consent.** If an alleged victim of gross sexual assault is unconscious and a reasonable person would conclude that exigent circumstances justify conducting a forensic examination, a licensed hospital or licensed health care practitioner may perform an examination in accordance with the provisions of this section.

A forensic examination kit completed in accordance with this subsection must be treated in accordance with Title 25, section 3821 and must preserve the alleged victim's anonymity. In addition, the law enforcement agency shall immediately report to the district attorney for the district in which the hospital or health care practitioner is located that such a forensic examination has been performed and a forensic examination kit has been completed under this subsection.

**6. Liability.** A licensed hospital or licensed health care practitioner in the exercise of due care is not liable for an act done or omitted in performing a sexual assault forensic examination under this section.

**Sec. 3. 25 MRSA §2915**, as enacted by PL 1999, c. 719, §3 and affected by §11, is amended to read:

**§2915. Uniform forensic examination kit for evidence collection in alleged cases of sexual assault**

**1. Development of uniform forensic examination kit.** The Department of Public Safety shall determine by rule what constitutes a uniform standardized forensic examination kit for evidence collection in alleged cases of gross sexual assault. The rules must define the contents of the kit, instructions for administering the kit and a checklist that examiners must follow and enclose in the completed kit.

**2. Use of uniform forensic examination kit.** A licensed hospital or licensed health care practitioner that conducts physical examinations of alleged victims of gross sexual assault shall use the uniform standardized forensic examination kit developed by the Department of Public Safety pursuant to subsection 1. A health care practitioner who conducts physical examinations of alleged victims of gross sexual assault must be trained in the proper evidence collection procedures for conducting a forensic examination.

Evidence collection results may not be excluded as evidence in any proceeding before any court of this State as a result of the examiner's failure to use the standardized evidence collection kit or as a result of the examiner's failure to be trained in the proper procedures for the collection of evidence required by this subsection.

**3. Furnishing of uniform forensic examination kit.** The Department of Public Safety shall furnish the uniform forensic examination kits to licensed hospitals and licensed health care practitioners that perform forensic examinations of alleged victims of gross sexual assault.

**3-A. "Sexual assault" defined.** For the purposes of this section, "sexual assault" means any crime enumerated in Title 17-A, chapter 11.

**4. Rules.** Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter H-A 2-A.

**Sec. 4. 25 MRSA §3821**, as amended by PL 2007, c. 209, §7, is further amended to read:

**§3821. Transportation and storage of forensic examination kits**

For the purposes of this section, "sexual assault" means any crime enumerated in Title 17-A, chapter 11.

If an alleged victim of gross sexual assault has a forensic examination and has not reported the alleged offense to a law enforcement agency when the examination is complete, the licensed hospital or licensed health care practitioner that completed the forensic examination shall notify the nearest law enforcement agency. That law enforcement agency shall transport the completed kit, identified only by a tracking number assigned by ~~the hospital or health care practitioner~~ the kit manufacturer, to its evidence storage facility. The law enforcement agency shall store the kit for at least 90 days from the time of receipt. If during that 90-day period the alleged victim reports the offense to a law enforcement agency, the investigating agency shall take possession of the kit.

In the case of a forensic examination performed under Title 24, section 2986, subsection 5, the law enforcement agency must immediately notify the district attorney for the district in which the hospital or

health care practitioner is located that such a forensic examination has been performed and a forensic examination kit has been completed under Title 24, section 2986, subsection 5.

**Sec. 5. Rulemaking; exemption from Maine Administrative Procedure Act.** The Department of Public Safety shall amend its rules implementing the Maine Revised Statutes, Title 25, sections 2915 and 3821 to reflect the changes set forth in this Act; and, notwithstanding Title 5, Part 18, or any other provision of law to the contrary, rule amendments adopted in accordance with this section are not subject to the requirements of the Maine Administrative Procedure Act.

**Sec. 6. Rulemaking.** The Victims' Compensation Board shall amend the rules on reimbursement by the Victims' Compensation Fund for use of forensic examination test kits in certain instances of sexual assault as provided in this Act by January 1, 2018. Rules adopted pursuant to this section are routine technical rules as defined by the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

**Sec. 7. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 25, chapter 407, in the chapter headnote, the words "transportation and storage of forensic examination kits for alleged victims of gross sexual assault" are amended to read "transportation and storage of forensic examination kits for alleged victims of sexual assault" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

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## CHAPTER 157

S.P. 474 - L.D. 1387

### An Act Regarding the Threatened Use of Force in the Crime of Robbery

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

**Sec. 1. 17-A MRSA §651, sub-§1, ¶B,** as amended by PL 2001, c. 383, §73 and affected by §156, is further amended to read:

B. The actor threatens to use force against any person present or otherwise intentionally or knowingly places any person present in fear of the imminent use of force with the intent:

(1) To prevent or overcome resistance to the taking of the property, or to the retention of the property immediately after the taking; or

(2) To compel the person in control of the property to give it up or to engage in other conduct that aids in the taking or carrying away of the property.

Violation of this paragraph is a Class B crime;

See title page for effective date.

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## CHAPTER 158

H.P. 986 - L.D. 1432

### An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Advance Payment of Costs for Public Records Requests

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

**Sec. 1. 1 MRSA §408-A, sub-§8, ¶F** is enacted to read:

F. An agency or official may require payment of all costs before the public record is provided to the requester.

See title page for effective date.

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## CHAPTER 159

H.P. 993 - L.D. 1438

### An Act To Improve the Aquaculture Leasing and Licensing Laws

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

**Sec. 1. 12 MRSA §6052, sub-§3,** as amended by PL 2003, c. 660, Pt. A, §2, is further amended to read:

**3. Marketing.** ~~Except for aquaculture, serve~~ Serve as the primary state agency providing promotional and marketing assistance to the commercial fishing industries, including assisting in marketing seafood, stimulating of consumer interest in and consumption of seafood, increasing the sales of seafood domestically and abroad, supporting and expanding existing markets and developing new markets for traditional and underutilized species;

**Sec. 2. 12 MRSA §6072, sub-§2, ¶A,** as enacted by PL 1977, c. 661, §5, is amended to read:

A. A lease ~~shall~~ may not exceed a term of ~~40~~ 20 years;

**Sec. 3. 12 MRSA §6072, sub-§8**, as amended by PL 2011, c. 93, §1, is further amended to read:

**8. Preference.** If more than one person applies to lease an area, preference must be given as follows:

A. First, to the person who holds a lease for the area or a portion of the area under section 6072-A and who submitted an application for a lease under this section for the area or a portion of the area before the lease under section 6072-A expired;

A-1. Second, to the person who holds a license for the area or a portion of the area under section 6072-C and who submitted an application for a lease under this section for the area or a portion of the area before the license under section 6072-C expired;

B. ~~Second~~ Third, to the department;

C. ~~Third~~ Fourth, to the riparian owner of the intertidal zone in which the leased area is located;

D. ~~Fourth~~ Fifth, to a person who fishes commercially and who has traditionally fished in or near the proposed lease area; and

E. ~~Fifth~~ Sixth, to the riparian owner within 100 feet of leased coastal waters.

**Sec. 4. 12 MRSA §6072, sub-§12-C** is enacted to read:

**12-C. Expansion of lease.** A person who holds a lease under this section may apply to the commissioner to expand the contiguous area of the lease by up to 25%, but may not expand by more than 4 acres, once during the duration of the term of the lease pursuant to this subsection.

A. The lease holder shall submit an application written on forms supplied by the commissioner:

(1) Describing the location of the proposed lease expansion area by coordinates or metes and bounds;

(2) Characterizing the physical and ecological impact of the lease expansion on existing uses of the site and any adverse effects on existing uses of the area, as defined by rules adopted by the commissioner;

(3) Including the written permission of every riparian owner whose land to the low-water mark will be used;

(4) Including a map of the lease area and its proposed expansion, and its adjoining waters and shorelands, with the names and addresses of the known riparian owners as listed in the municipal tax records and documentation showing that the lease holder has informed each of those riparian owners of the applica-

tion and the opportunity for comment as provided in paragraph B;

(5) Including an environmental evaluation of the site upon which the decision to seek an expansion of the lease was made. The evaluation must include, but is not limited to, bottom characteristics, resident flora and fauna and hydrography of the site if appropriate for the proposed lease; and

(6) Including a nonrefundable application fee of at least \$100, but not more than \$2,000, the amount to be set by the commissioner depending on the proposed acreage, type of aquaculture proposed and complexity of the expansion application.

B. The commissioner shall review the application. When the commissioner has determined that the application for the lease expansion is complete, the commissioner shall provide notice to the municipal officers of the municipality or municipalities in which or adjacent to which the lease expansion is proposed. The commissioner shall publish in a newspaper of general circulation in the municipality or municipalities in which the lease expansion is proposed a summary of the application and notice of the opportunity to submit comments regarding the proposed lease expansion to the commissioner during a period of at least 30 days following the date of publication of the lease expansion summary.

C. The commissioner may conduct an assessment of the proposed lease expansion area to determine possible effects of the lease on commercially and ecologically significant flora and fauna.

D. The commissioner shall consider comments received during the period for comments set pursuant to paragraph B.

E. If the commissioner determines that, based upon the application and comments received, the lease expansion meets the requirements of subsection 7-A, the commissioner may approve the request for the lease expansion.

**Sec. 5. 12 MRSA §6072, sub-§13, ¶B**, as amended by PL 2009, c. 229, §3, is further amended to read:

B. For procedures to issue, transfer, review, assign, expand or revoke leases;

**Sec. 6. 12 MRSA §6072-C**, as amended by PL 2013, c. 509, §§6 to 8, is further amended to read:

**§6072-C. Limited-purpose aquaculture license**

**1. License required.** A person may not engage in the activities authorized under this section without a current limited-purpose aquaculture license or a lease issued under this Part authorizing the activities.

**2. Licensed activities.** The holder of a limited-purpose aquaculture license may place marine organisms on the ocean bottom without gear or utilize approved aquaculture gear in a site in the coastal waters of the State to engage in certain aquaculture activities that meet the criteria established in ~~this subsection 2-A~~ 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:~~

~~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;~~

~~F. The applicant holds no more than 3 other limited-purpose aquaculture licenses issued under this section; and~~

~~G. The consent of the riparian owner is obtained if the proposed activity is located above the mean low-water mark.~~

**2-A. Criteria.** ~~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:~~

~~A. The proposed activity generates no discharge into coastal waters;~~

~~B. The applicant proposes to use 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;

F. The proposed location, species and activity do not present a risk to public health;

G. The applicant holds no more than 3 other limited-purpose aquaculture licenses issued under this section; and

H. The consent of the riparian owner is obtained if the proposed activity is located above the mean low-water mark.

**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 that has met any requirements established under subsection 3-A.

**3-A. Educational courses.** Prior to the issuance or renewal of a limited-purpose aquaculture license, the commissioner may require the applicant to complete any educational courses the commissioner determines appropriate. Educational courses may be provided by the department or by any public or private sector association or organization authorized by the commissioner. For any course provided by the department, the commissioner shall set an enrollment fee sufficient to recover all costs incurred by the department in providing the course.

**4. License limitations.** The issuance of a limited-purpose aquaculture license does not constitute the issuance of a lease of an area in, on or under the coastal waters.

**4-A. Preference.** If a person applies to lease an area that is the subject of a limited-purpose aquaculture license, the department shall notify the holder of the limited-purpose aquaculture license. If the holder of the limited-purpose aquaculture license documents to the department that that holder wants to lease the area, preference must be given as follows:

A. First, to the person who holds the limited-purpose aquaculture license in the area and who submitted an application for a lease under section 6072 for the area; and

B. Second, to the person who applied to lease the area, but does not hold a limited-purpose aquaculture license in the area.

**5. Application.** The application for a limited-purpose aquaculture license must:

A. Be written on forms supplied by the commissioner;

B. Identify the species to be cultivated;

B-1. Identify whether the applicant is growing the organisms for commercial or personal use;

C. Describe the proposed source of organisms to be grown in the approved aquaculture gear;

D. Describe the location of the approved aquaculture gear deployment by coordinates or metes and bounds;

D-1. Identify the shellfish growing area that is subject to the proposed license and its classification;

E. Include a clear set of plans that includes at a minimum:

(1) A location plan with an overhead plan view showing the aquaculture gear deployed at the proposed location. The area occupied by the gear must be drawn to scale on the plan. The location plan must include a north arrow, ebb and flood directions, any federal or local channels and anchorages, any nearby structures and property lines for all riparian owners within 300 feet; and

(2) Two gear drawings, one with an overhead plan view and one with a cross-sectional elevation view of the approved aquaculture gear proposed to be used. The gear drawings must be clearly dimensioned and include, at a minimum, mean high-water and mean low-water marks and the dimensions, profiles and materials used in the construction, deployment and securing of the approved aquaculture gear;

F. Include documentation that riparian landowners within 300 feet of the proposed activity have been notified of the license application and proposed activity; and

G. Include documentation that the municipal harbor master or appropriate municipal officers have been notified of the license application and proposed activity.

**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.

**7. Prohibition; molesting gear.** A person other than a marine patrol officer, the licensed owner of the gear or the licensed owner's assistant, with written permission from the licensed owner, may not utilize, raise, lift, transfer, possess or in any manner molest any approved aquaculture gear that is deployed under a current limited-purpose aquaculture license.

**7-A. Prohibition; taking product.** A person other than a marine patrol officer or the license holder,

or the license holder's assistant with written permission from the license holder, may not take any marine organism grown by the license holder under the license in the area designated on the license and marked in accordance with applicable rules.

**7-B. Prohibition; transporting organisms.** A person may not transport organisms grown under a limited-purpose aquaculture license that is designated for personal use to an area that is the subject of a limited-purpose aquaculture license that is designated for commercial use.

**8. Rules.** The commissioner shall adopt rules to implement this section, including, but not limited to, rules establishing the type of gear that is approved aquaculture gear for the purposes of a limited-purpose aquaculture license, minimum standards for maintaining gear, methods of gear identification and license application and review procedures. Rules adopted under this section are routine technical rules pursuant to Title 5, chapter 375, subchapter ~~H-A~~ 2-A.

**9. Violation; restitution.** A person who violates this section commits a civil violation for which a fine of not less than \$100 for each violation may be adjudged. If a person violates subsection 7 by cutting any lines or marker buoys or intentionally damaging approved aquaculture gear, the court shall also:

A. Order that person to pay to the owner of the approved aquaculture gear that was cut or damaged an amount equal to twice the replacement value of the gear that was damaged or lost as a result of the cutting or damaging action; and

B. Direct that person to provide the commissioner, upon making full payment as ordered by the court, proof of that payment.

**10. Reporting requirement; confidentiality.** A holder of a limited-purpose aquaculture license 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. Information provided in seeding and harvesting reports submitted by a license holder under this subsection is considered confidential information reported to the commissioner pursuant to section 6173.

See title page for effective date.

**CHAPTER 160**  
**H.P. 997 - L.D. 1445**

**An Act To Designate the Maine  
Farm Agricultural Resource  
Management and  
Sustainability Recognition  
Program**

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

**Sec. 1. 7 MRSA §162**, as enacted by PL 2009, c. 356, Pt. A, §1 and amended by PL 2011, c. 682, §38, is further amended to read:

**§162. Maine Farm Agricultural Resource Management and Sustainability recognition program**

The commissioner shall establish a process for designating "~~Farming for Maine~~" farms Maine Farm Agricultural Resource Management and Sustainability recipients according to this section. This designation provides farmers an opportunity to declare recognize their commitment to commercial agriculture sustainable agricultural practices and long-term resource management and to increase public awareness of farming in the State agricultural producer commitment to best management practices.

**1. Application.** An applicant for designation as a "~~Farming for Maine~~" farm Maine Farm Agricultural Resource Management and Sustainability recipient shall submit a completed application ~~that has been verified for verification~~ in accordance with subsection 3 to the clerk for the municipality in which the farm is located and a copy of the application to the department. ~~If the land is within an area under the jurisdiction of the Maine Land Use Planning Commission, the applicant shall submit the verified application to the executive director of the commission and a copy to the department.~~ The department shall develop an application form and make the form it available through the offices of the soil and water conservation districts and private organizations and public agencies that support or represent farmers in the State.

**2. Eligibility.** A farm is eligible for designation under this section if the following criteria are met it engages in the management of cropland or the production of livestock, specialty crops or value-added products and meets the criteria established by the commissioner as follows:

A. The farm consists of land classified as prime farmland, land of statewide or local importance or unique farmland by the Natural Resources Conservation Service within the United States Department of Agriculture. In counties where land of local importance has not been identified, land that

is actively farmed may be eligible as provided in rules adopted under subsection 4;

B. ~~The land is used for farm is engaged in~~ the commercial production of agricultural products; ~~and or~~

C. ~~Additional~~ The farm complies with additional criteria established in rules adopted under subsection 4.

A farm that is farmed under a lease may be designated as long as the landowner and the lessee sign the application.

**3. Verification of eligibility.** An applicant for designation as a "~~Farming for Maine~~" farm Maine Farm Agricultural Resource Management and Sustainability recipient shall submit a completed application form together with support materials as required in rules adopted under subsection 4 to a ~~soil and water conservation district office~~. ~~Upon receipt of an application, a district office shall verify the eligibility of the farm or notify the applicant of the reasons why verification is denied. Upon request, the department shall assist a district in determining eligibility~~ the department for verification of eligibility.

**4. Rules.** The commissioner may adopt rules to further define the verification process under subsection 3 and establish additional eligibility criteria as needed for designation of "~~Farming for Maine~~" farms Maine Farm Agricultural Resource Management and Sustainability recipients. The commissioner ~~shall~~ may provide signs or certificates or develop other means of recognizing a farm that has attained designation as a "~~Farming for Maine~~" farm Maine Farm Agricultural Resource Management and Sustainability recipient. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**5. Fee.** ~~A municipality~~ The commissioner may charge a fee of not more than \$20 for filing a verified designation application under fees as necessary for the administration of this section.

See title page for effective date.

**CHAPTER 161**  
**H.P. 1004 - L.D. 1454**

**An Act To Extend the Time for  
an Appeal of Limited Entry  
Fishing License Denial for  
Members of the Military**

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

**Sec. 1. 12 MRSA §6310-A, sub-§1**, as enacted by PL 2013, c. 319, §2, is amended to read:

**1. Appeal of license denial.** A person who is denied a license for a limited entry fishery because that person does not meet the eligibility requirements due to service in the United States Armed Forces or the United States Coast Guard precluding that person from participating in the fishery may appeal to the commissioner under this section for a review of that license denial. A license may be granted by the commissioner under this section only if the person:

- A. Documents that the person harvested the relevant species while in possession of a fishing license for that species within one year prior to entering the service;
- ~~B. Has not served for more than 10 consecutive years since the most recent year in which the person held a license;~~
- C. Has not been dishonorably discharged from service; and
- D. Requests an appeal under this section within one year of discharge from service.

~~Notwithstanding paragraphs B and D, a license may be granted to a person pursuant to this section who is actively serving in the United States Armed Forces or the United States Coast Guard for a period of more than 10 consecutive years as long as the person pays a license fee for each year beyond those 10 years.~~

**Sec. 2. 12 MRSA §6310-B** is enacted to read:

**§6310-B. Continued eligibility for lobster and crab fishing licenses following successful appeal**

A person who, upon appeal pursuant to section 6310-A, is issued a Class I, II or III lobster and crab fishing license shall submit landings data for the following 2 license years in accordance with rules adopted pursuant to section 6173. During the 2nd license year following the successful appeal in which that person holds a Class I, II or III lobster and crab fishing license, the person shall provide landings reports indicating a minimum of 50 landings days and sales of lobster to an individual licensed under section 6851 during that license year. If a person fails to meet the requirements of this section, the person is no longer eligible for a Class I, II or III lobster and crab fishing license and the commissioner shall revoke the license in accordance with the provisions of sections 6352 and 6353.

See title page for effective date.

**CHAPTER 162**  
**H.P. 1016 - L.D. 1477**

**An Act To Coordinate and Enforce Existing Workplace Training Requirements**

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

**Sec. 1. 26 MRSA §806, sub-§1-A** is enacted to read:

**1-A. Department.** "Department" means the Department of Labor.

**Sec. 2. 26 MRSA §807**, as enacted by PL 1991, c. 474, §2, is amended to read:

**§807. Requirements**

In addition to employer responsibilities set forth in rules adopted under Title 5, section 4572, all employers shall act to ensure a workplace free of sexual harassment by implementing the following minimum requirements.

**1. Workplace posting.** An employer shall post in a prominent and accessible location in the workplace a poster providing, at a minimum, the following information: the illegality of sexual harassment; a description of sexual harassment, utilizing examples; the complaint process available through the commission; and directions on how to contact the commission. The text of this poster may meet but may not exceed 6th-grade literacy standards. ~~Upon request, the~~ The commission shall may provide this poster to employers at a price that reflects the cost as determined by the commission at no charge. This poster must also be available on the department's publicly accessible website and may be reproduced.

**2. Employee notification.** Employers shall provide annually all employees with individual written notice that includes at a minimum the following information: the illegality of sexual harassment; the definition of sexual harassment under state law; a description of sexual harassment, utilizing examples; the internal complaint process available to the employee; the legal recourse and complaint process available through the commission; directions on how to contact the commission; and the protection against retaliation as provided pursuant to Title 5, section 4553, subsection 10, paragraph D. This notice must be initially provided within 90 days after the effective date of this subchapter. The notice must be delivered in a manner to ensure notice to all employees without exception, such as including the notice with an employee's pay.

**3. Education and training.** In workplaces with 15 or more employees, employers shall conduct an education and training program for all new employees within one year of commencement of employment ~~that~~

includes, at a minimum, the following information: Training provided under this subsection must include the illegality of sexual harassment; the definition of sexual harassment under state and federal laws and federal regulations, including the Maine Human Rights Act and the Civil Rights Act of 1964, 42 United States Code, Title VII, Sections 2000e to 2000e-17; a description of sexual harassment, utilizing examples; the internal complaint process available to the employee; the legal recourse and complaint process available through the commission; directions on how to contact the commission; and the protection against retaliation as provided under Title 5, section 4553, subsection 10, paragraph D. Employers shall conduct additional training for supervisory and managerial employees within one year of commencement of employment that includes, at a minimum, the specific responsibilities of supervisory and managerial employees and methods that these employees must take to ensure immediate and appropriate corrective action in addressing sexual harassment complaints.

Education and training programs conducted under this subsection by the State, a county or a municipality for its public safety personnel, including, but not limited to, law enforcement personnel, corrections personnel and firefighters, may be used to meet training and education requirements mandated by any other law, rule or other official requirement.

**4. Compliance checklist.** The department shall develop a compliance checklist for employers covering the requirements under subsection 3. The checklist must be made available on the department's publicly accessible website. The commission shall provide a link to the compliance checklist on the commission's publicly accessible website. Employers shall use the checklist to develop a sexual harassment training program and shall keep a record of the training, including a record of employees who have received the required training. Training records must be maintained for at least 3 years and must be made available for department inspection upon request.

**5. Enforcement.** The department shall enforce the notification requirement under this section and, upon inspection or complaint, shall ensure that employers have provided the training as required by subsection 3. If the department has determined that an employer has complied with the provisions of this subchapter, that determination and all completed department enforcement actions are considered final. Department actions under this subchapter do not limit or affect the authority or jurisdiction of the commission.

The commission may request department enforcement records related to a complaint filed with the commission when the complaint is related to this subsection. Such records are subject to section 3.

**6. Penalties for violations.** An employer who violates this section may be assessed a fine by the department in accordance with this subsection.

A. An employer who violates the workplace posting requirement in subsection 1 may be assessed:

(1) For the first violation, a fine of up to \$25 per day, not to exceed \$1,000;

(2) For a 2nd violation occurring within 3 years of a prior violation, a fine of not less than \$25 per day up to \$50 per day, not to exceed \$2,500; and

(3) For a 3rd or subsequent violation occurring within 3 years of 2 or more prior violations, a fine of not less than \$25 per day up to \$100 per day, not to exceed \$5,000.

B. An employer who violates the notification, education or training requirements set forth in subsection 2 or 3 may be assessed:

(1) For the first violation, a fine of \$1,000;

(2) For a 2nd violation, a fine of \$2,500; and

(3) For a 3rd or subsequent violation, a fine of \$5,000.

See title page for effective date.

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## CHAPTER 163

### H.P. 1021 - L.D. 1482

#### An Act To Implement the Recommendations of the Right To Know Advisory Committee Concerning Existing Public Records Exceptions

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

**Sec. 1.** **1 MRSA §402, sub-§3, ¶R**, as amended by PL 2013, c. 518, §1, is repealed.

**Sec. 2.** **35-A MRSA §10106, sub-§1**, as amended by PL 2011, c. 343, §1, is further amended to read:

**1. Confidential records.** The following records are designated as confidential for purposes of Title 1, section 402, subsection 3, paragraph A:

A. A record obtained or developed by the trust that:

(1) A person, including the trust, to whom the record belongs or pertains has requested be designated confidential and that the board has determined contains information that gives the owner or a user an opportunity to obtain a business or competitive advantage

over another person who does not have access to the information, except through the trust's records, or access to which by others would result in a business or competitive disadvantage, loss of business or other significant detriment, other than loss or denial of financial assistance from the trust, to any person to whom the record belongs or pertains; or

~~(2) The board has determined contains information that gives the owner or a user an opportunity to obtain business or competitive advantage over another person who does not have access to the information, except through the trust's records, or access to which by others would result in a business or competitive disadvantage, loss of business or other significant detriment, other than loss or denial of financial assistance from the trust, to any person to whom the record belongs or pertains;~~

(3) Contains information about the energy usage profile of an identifiable customer of a transmission and distribution utility in the State or an identifiable customer of a distributor of heating fuel or other energy source; and

~~(4) Contains the social security number, address, telephone number or e-mail address of a customer that has participated or may participate in a program of the trust; and~~

B. A financial statement or tax return.

The social security number, address, telephone number or e-mail address of a customer that has participated or may participate in a program of the trust is confidential.

The trust shall provide to a legislative committee, on written request signed by the chairs of that committee, any information or records, including information designated confidential under this subsection, specified in the written request. The information or records may be used only for the lawful purposes of the committee and in any action arising out of any investigation conducted by it.

See title page for effective date.

## CHAPTER 164

### H.P. 1030 - L.D. 1497

#### An Act To Correct and Clarify Maine's Fish and Wildlife Laws

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

**Sec. 1. 12 MRSA §10108, sub-§5**, as amended by PL 2013, c. 408, §4, is further amended to read:

**5. Youth and family programs and activities.** The "~~Hooked on Fishing Not on Drugs~~" program is Youth and family outdoor recreational programs and activities may be established in the department to encourage youth hunting and fishing activities as well as shooting sports in the State. The commissioner may accept money, goods or services donated to the department for the "~~Hooked on Fishing Not on Drugs~~" program these programs and activities. Money, goods and services accepted by the commissioner under this subsection may be used only for ~~program these programs and activities~~, including providing gifts to program participants, and to promote and market the ~~program programs and activities~~. Gifts may include but are not limited to complimentary hunting and fishing licenses, fishing tackle and fishing equipment, gear and tackle.

**Sec. 2. 12 MRSA §10851, sub-§1, ¶D**, as amended by PL 2015, c. 281, Pt. C, §1, is further amended to read:

D. For a resident 70 years of age or older. For a person who holds a valid senior lifetime license under this section at any time during the calendar year that person turns 70 years of age, that lifetime license includes all hunting permits and licenses authorized in this Part and may renew at no cost a guide license under section 12853. A license holder under this paragraph who qualifies to hunt during the special season on deer under section 11153 and who meets the eligibility requirements of section 11106 ~~must be issued~~ have included in that person's license one antlerless deer permit and one either-sex permit. A person who is 70 years of age or older may purchase a senior lifetime license that entitles the holder to all the privileges described in this paragraph for a one-time \$8 fee.

**Sec. 3. 12 MRSA §10853, sub-§4**, as amended by PL 2015, c. 281, Pt. C, §3, is further amended to read:

**4. Disabled veteran.** A resident disabled veteran or a nonresident disabled veteran who is a resident of New Hampshire or Vermont may obtain upon application, at no cost, all hunting, trapping and fishing licenses, including permits, stamps and other permission needed to hunt, trap and fish, and, upon meeting the qualifications as established in section 12853, subsection 4, a guide license. A license holder under this subsection who qualifies to hunt during the special season on deer under section 11153 and who meets the eligibility requirements of section 11106 ~~must be issued~~ have included in that person's license one antlerless deer permit and one either-sex permit. The commissioner shall issue all fishing, trapping and hunting

licenses and permits requested under this subsection if the commissioner determines the applicant is a disabled veteran and is not otherwise ineligible to hold that permit or license. For the purposes of this subsection, "disabled veteran" means a person who:

- A. Is a resident as defined in section 10001, subsection 53 or is a resident of New Hampshire or Vermont;
- B. Is a veteran as defined in Title 37-B, section 505, subsection 2, paragraph A, subparagraph (3); and
- C. Has a service-connected disability evaluated at 50% or more.

Each application must be accompanied by satisfactory evidence that the applicant meets the requirements of this subsection. An applicant for a license or permit under this section is subject to the provisions of this Part, including, but not limited to, a lottery or drawing system for issuing a particular license or permit. A permit or license issued under this subsection remains valid for the life of the permit or license holder, as long as the permit or license holder continues to satisfy the residency requirement in section 10001, subsection 53 and the permit or license is not revoked or suspended. For a resident of New Hampshire or Vermont to be eligible under this subsection, that resident's state must have a reciprocal agreement with this State.

**Sec. 4. 12 MRSA §10853, sub-§6**, as amended by PL 2013, c. 408, §7, is further amended to read:

**6. Members of Armed Forces domiciled in State.** A member of the Armed Forces of the United States on active duty who is permanently stationed outside of the State may be issued fishing, hunting and trapping licenses for an amount equal to the administrative costs associated with issuing a license as determined by the department. Administrative costs do not include agent fees. To qualify, the member of the Armed Forces of the United States must show proof that that member's home of record, as recorded in that person's service records, is Maine. That person may purchase all other licenses or permits at resident fees. The license is valid during the year of issue. That person's spouse and children may purchase hunting ~~and~~ fishing and trapping licenses at reduced rates. The reduced fees are as follows:

- A. Twenty dollars, plus the issuing fee for a combination fishing and hunting license;
- B. Ten dollars, plus the issuing fee for a hunting license;
- C. Ten dollars, plus the issuing fee for a fishing license; and

D. Ten dollars, plus the issuing fee for a trapping license.

**Sec. 5. 12 MRSA §10853, sub-§8**, as amended by PL 2015, c. 281, Pt. C, §4, is further amended to read:

**8. Members of federally recognized nation, band or tribe.** The commissioner shall issue a hunting, trapping and fishing license, including an archery hunting license under this chapter, and including all permits, stamps and other permission needed to hunt, trap and fish, to a person who is an enrolled member of the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs that is valid for the life of that person without any charge or fee pursuant to section 11109, if the person presents certification from the respective reservation chief or governor or the Aroostook Micmac Council stating that the person described is an enrolled member of a federally recognized nation, band or tribe listed in this subsection. Holders of these licenses are subject to this Part, including, but not limited to, a lottery or drawing system for issuing a particular license or permit. Members of a federally recognized nation, band or tribe listed in this subsection are exempt from the trapper evaluation program required for a license under section 12201 and the archery hunter education course under section 11106. A license holder under this subsection who qualifies to hunt during the special season on deer under section 11153 and who meets the eligibility requirements of section 11106 ~~must be issued~~ have included in that person's license one antlerless deer permit and one either-sex permit.

**Sec. 6. 12 MRSA §10953, sub-§1-C**, as enacted by PL 2015, c. 42, §1, is amended to read:

**1-C. Hunting with a crossbow; 70 years of age or older.** A person 70 years of age or older may hunt a wild bird or a wild animal with a crossbow during any open season on that wild bird or wild animal, subject to this Part. ~~A person 70 years of age or older may hunt deer with a crossbow during a regular archery only season established under section 11403 or in an expanded archery zone or during the muzzle-loading only deer hunting season established under section 11404.~~

**Sec. 7. 12 MRSA §11107, sub-§2**, as amended by PL 2015, c. 136, §5 and affected by §12, is repealed.

**Sec. 8. 12 MRSA §11109, sub-§3, ¶A**, as repealed and replaced by PL 2015, c. 494, Pt. D, §2, is amended to read:

A. A resident junior hunting license, for a person under 16 years of age, is \$8 and permits hunting of all legal species, subject to the permit requirements in subchapter 3. 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. A license holder under this paragraph who qualifies to hunt during the special season on deer under section 11153 and who meets the eligibility requirements of section 11106 ~~must be issued~~ have included in that person's license one antlerless deer permit and one either-sex permit. A resident junior hunting license does not exempt the holder of the license from lottery-related application requirements under this Part.

**Sec. 9. 12 MRSA §11109, sub-§3, ¶F**, as repealed and replaced by PL 2015, c. 494, Pt. D, §2, is amended to read:

F. A nonresident junior hunting license, for a person under 16 years of age, is \$35 and permits hunting of all legal species, subject to the permit requirements in subchapter 3. Notwithstanding the permit fees established in subchapter 3, a nonresident junior hunting license includes all permits, stamps and other permissions needed to hunt at no additional cost. A license holder under this paragraph who qualifies to hunt during the special season on deer under section 11153 and who meets the eligibility requirements of section 11106 ~~must be issued~~ have included in that person's license one antlerless deer permit and one either-sex permit. A nonresident junior hunting license does not exempt the holder of the license from lottery-related application requirements under this Part.

**Sec. 10. 12 MRSA §11109, sub-§3, ¶O**, as repealed and replaced by PL 2015, c. 494, Pt. D, §2, is amended to read:

O. A nonresident small game apprenticeship hunter license, which permits the hunting of all legal species except deer, bear, moose, raccoon and bobcat, is \$75 and includes a wild turkey hunting permit under section 11155.

**Sec. 11. 12 MRSA §11214, sub-§1, ¶¶A, B, D and E**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, are amended to read:

A. Use for hunting or possess for hunting any automatic firearm. This paragraph does not apply to:

(1) Military organizations authorized by law to bear arms or to the National Guard in the performance of its duty; ~~or~~

~~(2) Firearms using the .22 caliber rimfire cartridge or to any autoloading pistol having a barrel less than 8 inches in length;~~

B. Use for hunting or possess for hunting any autoloading firearm having a magazine capacity of more than 5 cartridges. All autoloading firearms having a magazine capacity in excess of 5

cartridges must have the magazine permanently altered to contain not more than 5 cartridges before the autoloading firearm may be used in this State for hunting. This paragraph does not apply to:

(1) Military organizations authorized by law to bear arms or to the National Guard in the performance of its duty; or

(2) Firearms using the .22 caliber rimfire cartridge or smaller caliber cartridge or to any autoloading pistol having a barrel less than 8 inches in length;

D. Use for hunting cartridges containing tracer bullets. This paragraph does not apply to:

(1) Military organizations authorized by law to bear arms or to the National Guard in the performance of its duty; ~~or~~

~~(2) Firearms using the .22 caliber rimfire cartridge or to any autoloading pistol having a barrel less than 8 inches in length;~~

E. Use for hunting cartridges containing explosive bullets. This paragraph does not apply to:

(1) Military organizations authorized by law to bear arms or to the National Guard in the performance of its duty; ~~or~~

~~(2) Firearms using the .22 caliber rimfire cartridge or to any autoloading pistol having a barrel less than 8 inches in length;~~

**Sec. 12. 12 MRSA §11251, sub-§2**, as enacted by PL 2015, c. 79, §1, is repealed.

**Sec. 13. 12 MRSA §11401, sub-§1, ¶B**, as affected by PL 2003, c. 614, §9 and amended by c. 655, Pt. B, §168 and affected by §422, is further amended to read:

B. The commissioner may shorten the open season on deer in any part of the State, as long as:

(1) The demarcation of the areas with the shortened season follows recognizable physical boundaries, such as rivers and railroad rights-of-way; and

(3) The Saturday preceding the first day of open season on deer is an open day for residents of the State only and for nonresidents who meet the qualifications under paragraph E.

**Sec. 14. 12 MRSA §12201, sub-§2**, as amended by PL 2009, c. 69, §2, is further amended to read:

**2. Eligibility.** The following persons are eligible to purchase a trapping license, subject to the provisions of subsection 3.

A. A resident 16 years of age or older is eligible to purchase a resident trapping license.

B. A resident 10 years of age or older and under 16 years is eligible to purchase a resident junior trapping license.

C. A resident under 10 years of age may trap all legal species, except bear, without a license.

D. A nonresident is eligible to purchase a nonresident trapping license.

E. An alien is eligible to purchase a nonresident trapping license for beaver pursuant to section 12259, subsection 3.

~~Nonresident aliens are ineligible to purchase a trapping license.~~

**Sec. 15. 12 MRSA §12201, sub-§3**, as amended by PL 2013, c. 538, §31, is further amended to read:

**3. Successful completion of trapper education program required for license.** Except as provided in paragraph A, a person who applies for a state license to trap, other than a junior trapping license pursuant to subsection 2, paragraph B or an apprentice trapper license issued under section 12204, must submit proof of having successfully completed a trapper education course of the type described in section 10108, subsection 7 or satisfactory evidence of having previously held an adult license to trap in this State or any other state, province or country in any year beginning ~~with~~ in or after 1978.

When proof or evidence can not otherwise be provided, the person may substitute a signed affidavit that that person has previously held the required adult trapping license or that that person has successfully completed the required trapper education course.

A. A person who is an enrolled member of the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs who presents certification from the respective reservation ~~chief or~~ governor or the Aroostook Micmac Council stating that the person is an enrolled member of a federally recognized nation, band or tribe listed in this paragraph is exempt from the requirements of this subsection.

**Sec. 16. 12 MRSA §12201, sub-§4**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

**4. Issuance.** The commissioner, or the commissioner's agent, may issue a license to engage in trapping. ~~Clerks or other agents appointed by the commissioner shall charge a fee of \$2 for each trapping license issued. The commissioner shall charge a fee of \$1 for each trapping license issued by department employees.~~

**Sec. 17. 12 MRSA §12204, sub-§6**, as enacted by PL 2011, c. 51, §1, is amended to read:

**6. Issuance; fee.** The commissioner, through the commissioner's authorized agent, shall issue an apprentice trapper license to an eligible person. The fee for an apprentice trapper license is ~~\$35~~ \$36 for residents and ~~\$317~~ \$318 for nonresidents.

**Sec. 18. 12 MRSA §12452**, as amended by PL 2009, c. 214, §1, is further amended to read:

**§12452. Consolidation of rules**

Fishing rules as set forth in the Open Water and Ice Fishing Regulations folder, as ~~printed and distributed to the public maintained by the department in an electronic version and distributed through electronic means~~, 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. 19. 12 MRSA §12551-A, sub-§2, ¶¶C and D**, as enacted by PL 2003, c. 655, Pt. B, §259 and affected by §422, are amended to read:

C. Engage in taking or assist in taking live smelts for resale from inland waters without a smelt wholesaler's license; ~~or~~

D. Sell live smelts or baitfish from more than one facility without an appropriate and valid license for each facility; ~~or~~

**Sec. 20. 12 MRSA §12551-A, sub-§2, ¶E** is enacted to read:

E. When licensed under this section, receive, possess for resale, sell or offer to sell gift baitfish or gift smelts without an appropriate and valid license issued under subsection 3.

**Sec. 21. 12 MRSA §12551-A, sub-§2-A**, as enacted by PL 2015, c. 298, §9, is repealed.

**Sec. 22. 12 MRSA §12661, sub-§3**, as amended by PL 2011, c. 253, §32, is further amended to read:

**3. Removal of abandoned ice fishing shacks.** A person may not leave a structure on another person's land without permission from the landowner. Notwithstanding the provisions of Title 33, chapter 41 and Title 17, section 2263-A, a landowner on whose property an ice fishing shack is left in violation of this section ~~and Title 17, section 2263-A~~ may remove or destroy the shack. The landowner may recover any costs of removing or destroying the shack from the owner of the shack in a civil action.

**Sec. 23. 12 MRSA §12803, sub-§3, ¶MM**, as enacted by PL 2007, c. 166, §1, is amended to read:

MM. Common ~~moorhen~~ gallinule, *Gallinula chloropus galeata*, threatened;

**Sec. 24. 12 MRSA §12953, sub-§7**, as amended by PL 2015, c. 281, Pt. F, §4, is further amended to read:

**7. Renewal of license; fees.** Licenses issued pursuant to this section ~~run for a period of~~ expire 3 years, from the ~~current year of issuance until the 31st day of December in the 3rd year after issuance, on which date the license terminates~~ date of issuance unless it is revoked sooner. A taxidermist whose license is not suspended or revoked may renew the license every 3 years upon application by the licensee accompanied by a \$77 license fee.

**Sec. 25. 12 MRSA §13104, sub-§5**, as amended by PL 2005, c. 12, Pt. III, §41, is further amended to read:

**5. Antique snowmobile registration fee.** A ~~resident person~~ who owns a snowmobile that is more than 25 years old and that is substantially maintained in original or restored condition may register that snowmobile under this subsection as an antique snowmobile. An antique snowmobile registration authorizes that snowmobile to be operated only for the purpose of traveling to, returning from and participating in an exhibition, parade or other event of interest to the public or for occasional personal use. The fee for an antique snowmobile registration is \$33. An antique snowmobile registration is valid until the ownership of that antique snowmobile is transferred to another person. Upon the transfer of ownership, the new owner may reregister that snowmobile as an antique snowmobile by paying the \$33 antique snowmobile registration fee. The registration fee for an antique snowmobile is allocated according to section 10206, subsection 2, paragraph A.

**Sec. 26. 12 MRSA §13106-A, sub-§5**, as amended by PL 2011, c. 533, §11, is further amended to read:

**5. Operating snowmobile on public way.** Except as provided in subsection ~~4~~ 3 and this subsection, a person may not operate a snowmobile upon the main traveled portion, the sidewalks or the plowed snowbanks of a public way.

A. A properly registered snowmobile may be operated on a public way only the distance necessary, but in no case to exceed 500 yards, on the extreme right of the traveled way for the purpose of crossing, as directly as possible, a public way, sidewalk or culvert.

B. A properly registered snowmobile may be operated on a public way only the distance necessary, but in no case to exceed 500 yards, on the extreme right of the traveled way for the sole purpose of crossing, as directly as possible, a bridge,

overpass or underpass, ~~provided that~~ as long as that operation can be made in safety and that it does not interfere with vehicular traffic approaching from either direction on the public way.

C. A snowmobile may be operated on any portion of a public way when the public way has been closed in accordance with Title 23, section 2953.

D. If the main traveled portion of a public way is publicly plowed and utilized by conventional motor vehicles, a snowmobile may be operated only on that portion of the way not maintained or utilized for the operation of conventional motor vehicles, except that operation on the left side of the way is prohibited during the hours from sunset to sunrise on the portion of the way not maintained or utilized for the operation of conventional motor vehicles. This paragraph does not apply to a snowmobile operated by a public utility regulated by the Public Utilities Commission while being operated in the course of the utility's corporate function, so that public utilities may effectively and speedily carry out their obligations to the public.

E. A snowmobile may be operated on streets and public ways during a period of emergency when the emergency has been so declared by a police agency having jurisdiction and when travel by conventional motor vehicles is not practicable. This paragraph does not apply to a snowmobile operated by a public utility regulated by the Public Utilities Commission while being operated in the course of the utility's corporate function, so that public utilities may effectively and speedily carry out their obligations to the public.

F. A snowmobile may be operated on streets and public ways in special snowmobile events of limited duration conducted according to a prearranged schedule and under a permit from the governmental unit having jurisdiction.

G. Notwithstanding paragraphs A to F, a snowmobile may be operated on the extreme right of a public way within the built-up portion of a municipality or unorganized or unincorporated township if the appropriate governmental unit has designated the public way as a snowmobile-access route for the purpose of allowing snowmobiles access to places of business. A public way designated by an appropriate governmental unit as a snowmobile-access route must be posted conspicuously at regular intervals by that governmental unit with highly visible signs designating the snowmobile-access route. Before designating a public way as a snowmobile-access route, the appropriate governmental unit shall make appropriate determinations that snowmobile travel on the extreme right of the public way may be conducted safely and will not interfere with vehicular traffic

on the public way. For purposes of this paragraph, "appropriate governmental unit" means the Department of Transportation, county commissioners or municipal officers within their respective jurisdictions. The jurisdiction of each appropriate governmental unit over public ways pursuant to this paragraph is the same as its jurisdiction over the passage of vehicles on public ways pursuant to Title 29-A, section 2395. Municipal or county law enforcement officials having jurisdiction have primary enforcement authority over any route established under this paragraph.

H. 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 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. 27. 12 MRSA §13157-A, sub-§16, ¶B,** as enacted by PL 2003, c. 655, Pt. B, §414 and affected by §422, is amended to read:

B. The following are exceptions to the requirements of paragraph A.

~~(1) An ATV manufactured prior to January 1, 1991 without a headlight or taillight is exempt from the provisions of this subsection while being operated between sunrise and sunset.~~

(2) A person may operate an ATV including a 2-wheel off-road motorcycle without a headlight and taillight between sunrise and sunset if:

~~(a) The ATV has an engine size of 90 cubic centimeters or less; and~~

~~(b) The ATV has 4 or more wheels.~~

See title page for effective date.

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## CHAPTER 165

### H.P. 1048 - L.D. 1524

#### An Act To Amend Maine Motor Vehicle Laws

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

**Sec. 1. 22 MRSA §1549,** as enacted by PL 2007, c. 591, §1 and affected by §2, is repealed.

**Sec. 2. 29-A MRSA §101, sub-§93,** as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**93. Wrecker.** "Wrecker" means a motor vehicle with hoisting apparatus and special equipment designed and used for towing or carrying wrecked or disabled vehicles or freeing vehicles stalled or stuck in snow, mud or sand, when such a motor vehicle in fact is being used for one of those purposes. "Wrecker" does not include a vehicle designed to carry or tow more than ~~one vehicle~~ 2 vehicles on its own body.

**Sec. 3. 29-A MRSA §525, sub-§9-A,** as repealed and replaced by PL 2003, c. 688, Pt. A, §32 and affected by §33, is amended to read:

**9-A. Violation.** The following penalties apply to violations of this section.

A. Except as provided in paragraph B, a person who violates this section commits a ~~Class E crime traffic infraction for which a fine of no more than \$250 may be imposed for the first offense and a fine of no more than \$500 may be imposed for each subsequent offense.~~

B. A person who displays or causes or permits to be displayed a false decal or permit or a decal or permit issued to another person commits a Class D crime. Violation of this paragraph is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A for which the court shall impose a fine of at least \$250, which may not be suspended.

An owner or operator stopped for violating this section and against whom enforcement action has been taken does not commit a subsequent violation of this section involving the same vehicle until after the close of business on the next business day following the date of the violation.

~~The court shall impose a fine of at least \$250, which may not be suspended.~~

~~Violation of this section is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A.~~

**Sec. 4. 29-A MRSA §558-A, sub-§2, ¶A,** as amended by PL 2015, c. 176, §1, is further amended to read:

A. A person may not violate any provision of the rules of the Department of Public Safety, Bureau of State Police adopted under section 555 that incorporates by reference any of the following federal regulations or that is an amended version of any of the following federal regulations:

(1) 49 Code of Federal Regulations, Section 390.21 ~~(2007)~~;

(2) Except as otherwise provided in subsection 1, paragraph C, 49 Code of Federal Regulations, Section 391.41 ~~(2007)~~;

(3) 49 Code of Federal Regulations, Sections 392.7, 392.8, 392.9(a), 392.9(b), 392.16, 392.22, 392.24, 392.25, 392.33, 392.71, 392.80 and 392.82 (~~2007~~);

(4) Any section of 49 Code of Federal Regulations, Part 393 (~~2007~~);

(4-A) 49 Code of Federal Regulations, Sections 395.3(a)(3)(ii), 395.8(a)(2)(ii), 395.8(d) and 395.8(i) (~~2014~~); or

(5) 49 Code of Federal Regulations, Part 396, except Sections 396.7 and 396.9 (~~2007~~).

**Sec. 5. 29-A MRSA §1605, sub-§6**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**6. Operating without giving proof.** A person commits a Class ~~B~~ **D** crime if that person is required to maintain proof of financial responsibility and, without authorization from the Secretary of State and without that proof, operates a vehicle or knowingly permits a vehicle owned by that person to be operated by another on a public way.

**Sec. 6. 29-A MRSA §1752, sub-§3**, as amended by PL 2013, c. 381, Pt. A, §4, is further amended to read:

**3. Antique autos.** An antique auto registered under section 457;

**Sec. 7. 29-A MRSA §1951**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**§1951. Name of owner or lessee displayed**

A truck tractor owner or operator shall display on both sides of the truck tractor the name of the owner or lessee in letters not less than 2 1/2 inches in height that meet the standards set forth in 49 Code of Federal Regulations, Section 390.21T, as amended.

**Sec. 8. 29-A MRSA §1953, sub-§2, ¶C**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

**Sec. 9. 29-A MRSA §2120** is enacted to read:

**§2120. Smoking in vehicles when minor under 16 years of age is present**

**1. Definition.** As used in this section, unless the context otherwise indicates, "smoking" means inhaling, exhaling, burning or carrying a lighted cigarette, cigar, pipe, weed, plant, regulated narcotic or other combustible substance.

**2. Prohibition.** Smoking is prohibited in a motor vehicle by the operator or a passenger when a person who has not attained 16 years of age is present in that motor vehicle, regardless of whether the motor vehicle's windows are open.

**3. Prohibition on inspection or search.** A motor vehicle, the contents of the motor vehicle or the operator or a passenger in the motor vehicle may not be inspected or searched solely because of a violation of this section.

**4. Penalty.** A person who violates subsection 2 commits a traffic infraction for which a fine of \$50 must be adjudged.

**Sec. 10. 29-A MRSA §2390, sub-§1**, as amended by PL 2007, c. 306, §8, is further amended to read:

**1. Trucks, trailers and recreational vehicles.** The following maximum length limits apply to trucks, trailers and recreational vehicles and include permanent or temporary structural parts of the vehicle and load, but do not include refrigeration units or other nonload-carrying appurtenances permitted by federal regulation.

A. A vehicle may not exceed 45 feet, except as provided in this section.

B. The maximum overall length of a combination of vehicles may not exceed 65 feet unless otherwise permitted by law.

C. A trailer or semitrailer may be greater than 45 feet but not more than 48 feet in structural length only if the distance between the center of the rearmost axle of the truck tractor and the center of the rearmost axle of the trailer or semitrailer does not exceed 38 feet.

The overall length of the combination of truck tractor and trailer or semitrailer in this paragraph may not exceed 69 feet, including all structural parts of the vehicle, permanent or temporary, and any load carried on or in the vehicle, including any rear overhang.

The interaxle distance and overall combination vehicle length maximum limits required by this paragraph do not apply on the Interstate Highway System and those qualifying federal aid primary system highways designated by the Secretary of the United States Department of Transportation, pursuant to the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, Section 411.

D. The load on a combination vehicle transporting tree-length logs exclusively may extend rearward beyond the body of the vehicle by no more than 8 1/2 feet, as long as no more than 25% of the length of the logs extends beyond the body and the total length of the vehicle and load does not exceed 74 feet.

E. A combination of truck tractor and full trailer or semitrailer may be operated on the Interstate Highway System and those qualifying federal aid

primary system highways designated by the Secretary of the United States Department of Transportation, pursuant to the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, Section 411, with an overall length in excess of 65 feet, if the trailer or semitrailer length does not exceed 48 feet.

F. A combination of truck tractor, semitrailer and full trailer, or a combination of truck tractor and 2 semitrailers, may be operated on the Interstate Highway System and those qualifying federal aid primary system highways designated by the Secretary of the United States Department of Transportation, pursuant to the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, Section 411, with an overall length in excess of 65 feet, if no semitrailer or trailer length exceeds 28.5 feet. This vehicle combination may also operate on other highways designated by the Commissioner of Transportation.

G. A stinger-steered autotractor may be operated on the Interstate Highway System and those qualifying federal aid primary system highways designated by the Secretary of the United States Department of Transportation, pursuant to the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, Section 411, with an overall length not to exceed ~~75~~ 80 feet.

H. A combination vehicle designed for and transporting automobiles may be operated with an additional front overhang of not more than ~~3~~ 4 feet and rear overhang of not more than ~~4~~ 6 feet.

I. Drive-away saddle-mount vehicle transporter combinations with an overall length not exceeding 97 feet may be operated on the Interstate Highway System and those qualifying federal aid primary system highways designated by the Secretary of the United States Department of Transportation pursuant to the United States Surface Transportation Assistance Act of 1982, Public Law 97-424, Section 411.

J. Notwithstanding any other provision of this subsection, a single semitrailer whose total structural length exceeds 48 feet but does not exceed 53 feet may be operated in combination with a truck tractor on a highway network if the following conditions are met.

(1) The wheelbase of the semitrailer, measured as the distance from the kingpin to the center of the rearmost axle of the semitrailer, may not exceed 43 feet.

(2) The kingpin setback of the semitrailer, measured as the distance from the kingpin to the front of the semitrailer, may not exceed  $3\frac{1}{2}$  feet in length.

(3) The rear overhang of the semitrailer, measured as the distance from the center of the rear tandem axles of the semitrailer to the rear of the semitrailer, may not exceed 35% of the wheelbase of the semitrailer.

(4) The semitrailer must be equipped with a rear underride guard that is of sufficient strength to prevent a motor vehicle from penetrating underneath the semitrailer, extends across the rear of the semitrailer to within an average distance of 4 inches of the lateral extremities of the semitrailer, exclusive of safety bumper appurtenances, and is placed at a height not exceeding 22 inches from the surface of the ground as measured when the semitrailer is empty and is on a level surface.

(5) The semitrailer must be equipped with vehicle lights that comply with or exceed federal standards and reflective material approved by the Commissioner of Transportation that must be located on the semitrailer in a manner prescribed by the commissioner. The semitrailer must display a conspicuous warning on the rear of the semitrailer indicating that the vehicle combination has a wide turning radius.

(8) Except as provided in subparagraph (10), the overall length of the truck tractor and semitrailer combination of vehicles traveling beyond the national network may not exceed 74 feet, including all structural parts of the vehicle, permanent or temporary, and any load carried on or in the vehicle. For the purposes of this subparagraph, "national network" means those highways in the State identified under 23 Code of Federal Regulations, Appendix A to Part 658.

(9) Notwithstanding section 2380, the width of the semitrailer must be 102 inches, except that the width of the rear safety bumper and appurtenances to the safety bumper may not exceed 103 inches and except that the width of a flatbed or lowboy semitrailer, measured as the distance between the outer surface edges of the semitrailer's tires, must be at least 96 inches but no more than 102 inches.

(10) For vehicles whose overall length exceeds 74 feet, including all structural parts of the vehicle, permanent or temporary, and any load carried on or in the vehicle, access is permitted to service facilities or terminals within one mile of the national network. For purposes of this subparagraph, "national network" means those highways in the State identified under 23 Code of Federal Regulations, Appendix A to Part 658.

(12) This vehicle combination may not transport cargo that has been prohibited for this vehicle combination by the Commissioner of Transportation.

(13) This paragraph does not apply to a trailer or semitrailer when transporting or returning empty from transporting a nondivisible load or object under the provisions of an overlimit permit granted by section 2382.

Nothing in this paragraph limits the authority of the department under Title 23, section 52 to adopt rules prohibiting or limiting access by semitrailers or other vehicles to a highway or portion of a highway or other segment of the transportation infrastructure in order to ensure public safety.

See title page for effective date.

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## CHAPTER 166

### S.P. 535 - L.D. 1529

#### An Act To Protect Consumers during Residential Construction

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

**Sec. 1. 17-A MRSA §908**, as amended by PL 2007, c. 475, §12 and c. 476, §§34 to 38, is further amended to read:

#### **§908. Home construction or repair fraud**

1. A home construction or repair seller is guilty of home construction or repair fraud if the seller knowingly enters into an agreement or contract, written or oral, with any person for home construction or repair services and the seller, at the time of entering into that agreement or contract:

A. Intentionally misrepresents a material fact relating to the terms of the agreement or contract or misrepresents a preexisting or existing condition of any portion of the property that is the subject of the home construction or repair services. Violation of this paragraph is a Class D crime;

B. Intentionally creates or reinforces an impression relating to the terms of the agreement or contract that is false and that the seller does not believe to be true or fails to correct such an impression that the seller had previously created or reinforced. Violation of this paragraph is a Class D crime;

C. Intentionally promises performance under the terms of the agreement or contract that the seller does not intend to perform or that the seller knows

will not be performed. Violation of this paragraph is a Class D crime;

D. Intentionally uses or employs deception, false pretense or false promise in securing the agreement or contract. Violation of this paragraph is a Class D crime;

E. Knows that the property that is the subject of the home construction or repair services was previously damaged or destroyed by the seller with the intent to obtain the agreement or contract. Violation of this paragraph is a Class D crime;

F. Violates paragraph A and the person has 2 or more prior convictions under this section or for engaging in substantially similar conduct to that contained in this section in another jurisdiction. Section 9-A governs the use of prior convictions when determining a sentence. Violation of this paragraph is a Class C crime;

G. Violates paragraph B and the person has 2 or more prior convictions under this section or for engaging in substantially similar conduct to that contained in this section in another jurisdiction. Section 9-A governs the use of prior convictions when determining a sentence. Violation of this paragraph is a Class C crime;

H. Violates paragraph C and the person has 2 or more prior convictions under this section or for engaging in substantially similar conduct to that contained in this section in another jurisdiction. Section 9-A governs the use of prior convictions when determining a sentence. Violation of this paragraph is a Class C crime;

I. Violates paragraph D and the person has 2 or more prior convictions under this section or for engaging in substantially similar conduct to that contained in this section in another jurisdiction. Section 9-A governs the use of prior convictions when determining a sentence. Violation of this paragraph is a Class C crime; or

J. Violates paragraph E and the person has 2 or more prior convictions under this section or for engaging in substantially similar conduct to that contained in this section in another jurisdiction. Section 9-A governs the use of prior convictions when determining a sentence. Violation of this paragraph is a Class C crime.

3. As used in this section, unless otherwise indicated, the following terms have the following meanings.

A. "Home construction or repair services" means building or constructing a residence and fixing, replacing, altering, converting, modernizing, improving or making an addition to real property primarily designed or used as a residence. "Home construction or repair services" includes not only

structural work but also the construction, installation, replacement, improvement and cleaning of driveways, swimming pools, porches, kitchens, chimneys, chimney liners, garages, fences, fall-out shelters, central air conditioning, central heating, boilers, furnaces, hot water heaters, electric wiring, sewers, carpeting, plumbing fixtures, storm doors, storm windows, siding or awnings and other improvements to structures within the residence or upon the land adjacent to the residence, including tree trimming.

B. "Home construction or repair seller" or "seller" means a person, partnership, corporation, business, trust or other legal entity that sells or provides home construction or repair services.

C. "Residence" means a single-family or multi-family dwelling, including a single-family home, apartment building, condominium, duplex or townhouse that is used or intended to be used by its occupants as a dwelling place.

See title page for effective date.

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## CHAPTER 167

### H.P. 1053 - L.D. 1533

#### An Act To Update the Laws Relating to Liquor Licensing and Enforcement

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

**Sec. 1. 28-A MRSA §2, sub-§15, ¶G,** as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

G. "Golf ~~club~~ course" means ~~any~~ a commercially operated facility, whether publicly or privately owned, offering golfing facilities to the general public for a fee, ~~which includes~~ including a regulation size golf course of not less than 9 holes and an average total of not less than 1,200 yards per 9 holes, ~~which that~~ has a value of not less than \$100,000, ~~which that~~ offers food for sale to the public and ~~which that~~ has adequate facilities for the sale and consumption of liquor.

**Sec. 2. 28-A MRSA §2, sub-§26,** as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

**26. Retail sale.** "Retail sale" means any single sale of liquor ~~of less than 20 gallons, or its metric equivalent,~~ for consumption on or off the premises where sold and whether in the original package or as a mixed drink for immediate consumption.

**Sec. 3. 28-A MRSA §10, sub-§2-B, ¶B,** as enacted by PL 2015, c. 494, Pt. D, §9, is amended to read:

B. When access between the 2 licensed areas exists for patrons of either establishment, all malt liquor and wine sold for on-premises consumption must be served by an employee of the licensed establishment and may be served only when accompanying food or a full course meal prepared in a separate and complete kitchen on the premises. A restaurant under this paragraph must serve food. For the purposes of this paragraph, ~~"full meal" means a diversified selection of food that cannot ordinarily be consumed without the use of tableware and cannot be conveniently consumed while standing or walking~~ "food" includes cold or hot meals, including sandwiches and salads, but is not limited to hamburgers, cheeseburgers, hot dogs, pizzas and other food items that customarily appear on a restaurant menu. "Food" does not include prepackaged snack foods such as popcorn, chips or pretzels. A Class A restaurant under this paragraph must serve a full course meal.

**Sec. 4. 28-A MRSA §453, sub-§2-C,** as amended by PL 2013, c. 269, Pt. A, §5, is further amended to read:

**2-C. Licenses.** 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. ~~Except as provided in subsection 2-D, If the applicant has previously held a license to sell malt liquor and wine for off-premises consumption for more than one year immediately preceding application without the applicant was not found to have committed~~ a violation of any provision of this Title;

B. ~~The If the applicant is applying for an agency liquor store license in a municipality with a population of 1,000 or more, 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. If the applicant is applying for an agency liquor store license in a municipality with a population of 999 or less, the applicant will be able to stock at least \$5,000 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; and

D. The applicant demonstrates that the applicant is likely to be a responsible licensee.

**Sec. 5. 28-A MRSA §453, sub-§2-D,** as amended by PL 2015, c. 221, §2, is repealed.

**Sec. 6. 28-A MRSA §453-A, sub-§9**, as enacted by PL 2011, c. 460, §1, is repealed.

**Sec. 7. 28-A MRSA §453-D, sub-§1**, as enacted by PL 2011, c. 135, §1, is amended to read:

**1. Relocation application requirements.** The bureau shall permit a change of location of an agency liquor store licensee if:

A. The licensee submits ~~a \$2,000 relocation fee and~~ an application in a form prescribed by the bureau;

B. The application includes proof of receipt of municipal approval of the relocation;

C. The licensee has held the license and operated as an agency liquor store for no less than one year at the currently licensed location, unless the relocation is directly related to retroactive zoning or unintentional destruction of the property that prevents rebuilding at the current location; ~~and~~

D. The proposed location of the agency liquor store meets all applicable criteria for licensure for an agency liquor store; ~~and~~

E. The application includes proof of notification in the form of a certified mail receipt, that all agency liquor stores in the same municipality as the licensee's proposed relocation site were notified of the proposed relocation before receiving approval under paragraph B.

**Sec. 8. 28-A MRSA §453-D, sub-§2**, as enacted by PL 2011, c. 135, §1, is repealed.

**Sec. 9. 28-A MRSA §453-D, sub-§3** is enacted to read:

**3. Agency liquor store input.** The bureau shall establish a process by which an agency liquor store in the same municipality as the licensee's proposed relocation may declare support of or objections to a proposed relocation. The bureau shall consider the declarations when considering approval of the relocation application. The process required by this subsection must be established by rule. The bureau shall adopt routine technical rules pursuant to Title 5, chapter 375, subsection 2-A to implement this subsection.

**Sec. 10. 28-A MRSA §601, sub-§2, ¶J**, as amended by PL 1997, c. 373, §51, is further amended to read:

J. The applicant is a golf ~~club~~ course or a restaurant located on the property of a golf ~~club~~ course and the Maine Human Rights Commission has found reasonable grounds to believe that the golf ~~club~~ course has denied membership to a person in violation of Title 5, chapter 337, subchapter ~~5~~ 2, and has determined that conciliation efforts under Title 5, ~~chapter 337~~, section 4612, subsection 3 have not succeeded. The Maine Human Rights

Commission shall notify the bureau when the golf ~~club~~ course has corrected its discriminatory membership practices, after which the applicant ceases to be disqualified under this paragraph.

**Sec. 11. 28-A MRSA §652, sub-§6**, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

**6. Public service license.** One public service license is sufficient to cover all steamboats, cars, railroads and aircraft operated by any one public service corporation.

**Sec. 12. 28-A MRSA §706, sub-§1**, as amended by PL 1997, c. 437, §3, is further amended to read:

**1. Acceptable identification.** A licensee may refuse to serve liquor to any person who fails to display upon request an identification card issued under Title 29-A, section 1410, including an official identification card issued by a federally recognized Indian tribe in the State as described in Title 29-A, section 1410, subsection 7, or a motor vehicle operator's license bearing the photograph of the operator and issued under Title 29-A, chapter 11.

**Sec. 13. 28-A MRSA §712, sub-§2**, as repealed and replaced by PL 2013, c. 165, §1, is amended to read:

**2. Serve from faucet, spigot, dispensing apparatus by trade name.** A licensee may not furnish or serve any ~~malt~~ liquor from any faucet, spigot or other dispensing apparatus, unless:

A. The trade name or brand of the ~~malt~~ liquor served appears in full sight of the customer in legible lettering upon the faucet, spigot or dispensing apparatus; or

B. The licensee displays a list of all ~~malt liquors~~ liquor currently available on tap that is clearly visible to patrons of the establishment in a manner that allows a patron to identify the trade name or brand of the ~~malt~~ liquor that is being dispensed from each faucet, spigot or dispensing apparatus.

**Sec. 14. 28-A MRSA §714, sub-§1, ¶A**, as enacted by PL 1991, c. 543, is amended to read:

A. "Keg" means a container capable of holding at least ~~7-75~~ 5 gallons of liquid.

**Sec. 15. 28-A MRSA §1001, sub-§3, ¶G**, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

G. Golf ~~clubs~~ courses;

**Sec. 16. 28-A MRSA §1003, sub-§3, ¶G**, as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

G. Golf ~~clubs~~ courses;

**Sec. 17. 28-A MRSA §1004, sub-§3, ¶G,** as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

G. Golf ~~clubs~~ courses;

**Sec. 18. 28-A MRSA §1005, sub-§3, ¶G,** as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

G. Golf ~~clubs~~ courses;

**Sec. 19. 28-A MRSA §1012, sub-§4,** as amended by PL 2017, c. 17, §7, is further amended to read:

**4. Golf course or disc golf course mobile service bar.** A licensee who is the owner of a golf course or disc golf course may apply for a license to sell ~~malt~~ liquor from a mobile service bar as provided in section 1075-A. The license fee per calendar year is \$100.

**Sec. 20. 28-A MRSA §1073,** as amended by PL 1997, c. 373, §100, is further amended to read:

**§1073. Indoor racquet clubs; ice skating clubs; golf courses; curling clubs; and bowling centers**

**1. Issuance of licenses.** The bureau may issue licenses under this section for the sale of spirits, wine and malt liquor to be consumed on the premises to bowling centers, curling clubs, golf ~~clubs~~ courses, indoor ice skating clubs and indoor racquet clubs as defined in section 2, subsection 15, paragraphs B-1, D-1, G, J and K respectively.

**2. Food availability.** The licensee shall offer food for sale to the public at all times that liquor is for sale. For bowling centers, at least 10% of the gross annual income, not including income from the bowling business, must be from the sale of food.

**3. Separate area for sale of food and liquor.** The licensee shall set aside a separate area for the sale and consumption of food and liquor in accordance with the rules of the bureau. For bowling centers, that separate area may not include the area in which the game of bowling is conducted.

**Sec. 21. 28-A MRSA §1075-A, sub-§1, ¶A,** as amended by PL 2017, c. 17, §9, is further amended to read:

A. "Mobile service bar" means a golf cart or other similar vehicle staffed by an employee of the golf course or disc golf course and outfitted for storage, cooling or refrigeration and sale and service of ~~malt liquor in cans or bottles~~.

**Sec. 22. 28-A MRSA §1075-A, sub-§2,** as amended by PL 2017, c. 17, §9, is further amended to read:

**2. License.** The bureau may issue a license for a mobile service bar to a licensee who owns a golf course or disc golf course or may issue a license for a

mobile service bar to a Class A restaurant, Class A restaurant/lounge or Class I hotel located at a golf course or disc golf course ~~and to a golf course or disc golf course owner~~. The licensee shall ensure that:

A. All individuals selling, serving or dispensing ~~malt~~ liquor from a mobile service bar are employees of the golf course or disc golf course, except as provided in subsection 2-A;

B. The licensee does not possess or permit possession, sale or consumption of any ~~malt~~ liquor on the golf course or disc golf course other than that which is permitted and purchased by the licensee in accordance with the license or licenses granted;

C. A sufficient number of employees are deployed to adequately control and ensure adherence to laws applying to the serving, sale and consumption of ~~malt~~ liquor on the golf course or disc golf course;

D. Service or consumption of any liquor is not allowed in parking lots except as otherwise provided in this chapter;

E. A licensee or licensee's employees do not allow patrons to leave the golf course or disc golf course with any liquor;

F. Only one standard serving of ~~malt~~ liquor is served to an individual at a time;

G. Signs are posted that state that a patron may not bring ~~alcoholic beverages~~ liquor onto the premises of the golf course or disc golf course;

H. Signs are placed on the mobile service bar that state that service or consumption of any liquor by a person under 21 years of age is prohibited;

I. ~~Malt liquor~~ Liquor from a mobile service bar is purchased and consumed only by those patrons engaged in a round of golf or disc golf;

J. The operator of a mobile service bar is at least 21 years of age and has successfully completed an alcohol server education course; and

K. The operator of a mobile service bar has the ability and necessary tools to immediately contact a golf course or disc golf course employee working at the part of the golf course or disc golf course licensed as an on-premises establishment or an employee of a Class A restaurant or Class A restaurant/lounge operating under a contract with a municipal golf course or disc golf course for assistance in enforcing the provisions of this section.

**Sec. 23. 28-A MRSA §1075-A, sub-§2-A,** as amended by PL 2017, c. 17, §9, is further amended to read:

**2-A. Municipal golf course.** Notwithstanding subsection 2, paragraph A, employees of a Class A

restaurant or Class A restaurant/lounge operating under a contract with a municipal golf course or disc golf course that does not have a license to serve alcoholic beverages liquor may sell, serve or dispense ~~mal~~ liquor from a mobile service bar under the same conditions prescribed by subsection 2.

**Sec. 24. 28-A MRSA §2519, sub-§1**, as amended by PL 2001, c. 502, §1, is further amended to read:

**1. Approval of alcohol server education courses.** ~~The commissioner or the commissioner's~~ director of the bureau or director's designee shall approve alcohol server education courses for a period of 2 years that meet the criteria developed under this section. ~~The commissioner~~ director may renew approval provided the course meets the criteria applicable at the time of renewal.

Course providers may request renewal by submitting current course material at least 60 days prior to the date of expiration.

**Sec. 25. 28-A MRSA §2519, sub-§2**, as amended by PL 2011, c. 657, Pt. AA, §76 and PL 2013, c. 368, Pt. V, §61, is further amended to read:

**2. Advisory committee; appointment.** ~~The commissioner~~ director of the bureau shall appoint the Server Education Advisory Committee consisting of 8 members, to include:

- A. A representative of the faculty at the Maine Criminal Justice Academy;
- B. A liquor enforcement officer;
- C. A representative of the Department of the Attorney General;
- D. A representative of the Department of Health and Human Services;
- E. A representative of the education community;
- F. A representative of a statewide liquor licensee organization;
- G. A representative of a statewide trial lawyers organization; and
- H. A representative of the bureau.

**Sec. 26. 28-A MRSA §2519, sub-§4**, as enacted by PL 1987, c. 45, Pt. A, §4, is repealed.

**Sec. 27. 28-A MRSA §2519, sub-§6-B**, as amended by PL 2001, c. 502, §4, is further amended to read:

**6-B. Suspension of certificate.** ~~The commissioner or the commissioner's~~ director of the bureau or director's designee may suspend or revoke an alcohol server instructor's or advisor's certificate upon the recommendation of the advisory committee. The follow-

ing are grounds for an action to suspend or revoke a certificate:

- A. Repeated instances of failure to provide timely, accurate or legible information required by subsection 7;
- B. Repeated instances of failure to follow the course outline or cover the course criteria that were used to gain approval; or
- C. Receipt of a request to suspend or revoke a certificate from the administrator of the course approved by the advisory committee to train instructors.

**Sec. 28. 28-A MRSA §2519, sub-§7**, as amended by PL 1999, c. 519, §8, is further amended to read:

**7. Course accountability.** ~~The chief director of the bureau or director's designee~~ may appoint an ~~officer~~ employee of the bureau to monitor each alcohol server education course to ensure that the course presents proper training and meets the approved criteria. The bureau shall maintain a record of the participants who have completed an alcohol server training course. Each instructor of an approved course shall provide the ~~chief bureau~~ chief director of the bureau with the names, addresses, dates of birth and the driver's license numbers, state identification card numbers or social security numbers of students who complete the course and the date of completion. The instructors shall forward \$3 to the bureau for every name submitted. The amounts collected must be retained by the bureau to cover costs related to alcohol server education training.

**Sec. 29. 28-A MRSA §2519, sub-§8**, as amended by PL 2001, c. 502, §6, is further amended to read:

**8. Alcohol server education courses; approval; suspension; revocation.** ~~The commissioner or the commissioner's~~ director of the bureau or director's designee may refuse to issue or renew approval for an alcohol server education course. ~~The commissioner or the commissioner's~~ director of the bureau or director's designee may suspend or revoke approval for an alcohol server education course upon the recommendation of the advisory committee after reviewing the report of the monitor. The following are grounds for an action to refuse to issue or renew approval or to suspend or revoke approval.

- A. The advisory committee finds that an alcohol server education course does not meet the criteria listed in subsection 3 or specific criteria determined by the committee.
- B. The course, when presented, does not follow specific criteria determined by the advisory committee before issuance of approval.

C. The instructor of the course does not provide information or access to the monitor as required by subsection 7.

D. Fraud or deceit is used to obtain course approval or in providing the course or issuing certificates.

A person aggrieved by a decision of the ~~commissioner or the commissioner's~~ director of the bureau or director's designee to refuse to issue or renew approval or to suspend or revoke approval for an alcohol server education course may, within 30 days of receipt of that decision, appeal the decision to the District Court.

**Sec. 30. 28-A MRSA §2519, sub-§9**, as enacted by PL 2001, c. 502, §7, is amended to read:

**9. Approval of Internet-based alcohol server education courses.** The ~~commissioner or the commissioner's~~ director of the bureau or director's designee may approve an Internet-based alcohol server education course if the course meets the criteria developed under this section. An approved Internet-based alcohol server education course must have an advisor, certified under subsection 6-D, available to answer questions for persons using the Internet-based alcohol server education course.

See title page for effective date.

## CHAPTER 168

### H.P. 1056 - L.D. 1536

#### An Act To Allow Maine Manufacturers To Sell Spirits at Farmers' Markets and To Allow Taste Testings at Farmers' Markets

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

**Sec. 1. 28-A MRSA §1366, sub-§1**, as amended by PL 2011, c. 629, §24, is further amended to read:

**1. Retail sales at farmers' market.** A licensee under section 1355-A, subsection 3, paragraph B ~~or~~ subsection 4, paragraph B; subsection 5, paragraph B or an employee of the licensee who is at least 21 years of age may sell wine, spirits or malt liquor manufactured in the State by the licensee at a farmers' market pursuant to this section.

**Sec. 2. 28-A MRSA §1366, sub-§3**, as enacted by PL 2011, c. 280, §3, is amended to read:

**3. Conditions.** A licensee under subsection 1 may sell wine, spirits or malt liquor at a farmers' market under the following conditions:

A. The licensee shall apply for and must have received authorization to sell at farmers' markets from the bureau and paid an annual fee of \$75. The application pursuant to this paragraph must be in a form determined by the bureau. The licensee shall submit the application at least 30 days prior to the date when wine, spirits or malt liquor is to be sold at a farmers' market;

B. Prior to each month during which the licensee wishes to sell or conduct a taste testing at a farmers' market, the licensee shall provide to the bureau a list of the date, time and location of each farmers' market at which the licensee intends to sell or conduct a taste testing and must receive approval from the bureau for that month;

B-1. The licensee shall keep and maintain a record of the dates, times and locations of the licensee's participation in a farmers' market under this section;

C. The farmers' market must consist of at least 6 separate stalls or booths that sell farm or food products, not including ~~alcoholic beverages~~ liquor, and must be authorized by the bureau under subsection 4;

D. The stall or booth operated by the licensee at the farmers' market is considered part of the licensed premises of the licensee for purposes of this chapter;

E. All wine, spirits and malt liquor must be pre-packaged and sold by the bottle or case; and

F. Taste testing ~~or sampling~~ of wine, spirits and malt liquor ~~is not permitted at the farmers' market~~ may be conducted in accordance with section 1367.

G. Spirits sold in accordance with this subsection are subject to the listing, pricing and distribution provisions of this Title. The holder of a small distillery license may provide spirits for sale at a farmers' market in the same manner as permitted under section 1355-A, subsection 5, paragraph G.

**Sec. 3. 28-A MRSA §1366, sub-§4**, as enacted by PL 2011, c. 280, §3, is amended to read:

**4. Farmers' market authorization.** At least 30 days prior to the sale of wine, spirits or malt liquor, a farmers' market must obtain municipal approval to sell wine, spirits and malt liquor under this section and apply for and receive authorization from the bureau for a licensee authorized under subsection 3, paragraph A to sell wine, spirits or malt liquor at the farmers' market. If the farmers' market is held on private property, the application must include a written statement signed by the owner of the property permitting the sale of wine, spirits or malt liquor in accordance with this section. The bureau may request a diagram of the layout of the farmers' market. An application required by

this subsection must be in a form determined by the bureau.

**Sec. 4. 28-A MRSA §1367** is enacted to read:

**§1367. Tastings at farmers' markets**

**1. Taste testing.** Subject to the conditions set forth in this section and the applicable bylaws of the farmers' market, a brewery, small brewery, winery, small winery, distillery or small distillery licensed under section 1355-A may conduct taste-testing events at a farmers' market. For purposes of this section, "farmers' market" has the meaning as in Title 7, section 415, subsection 1, paragraph A. A farmers' market may allow up to 2 dates per month on which a licensee described in this subsection may conduct a taste-testing event.

**2. Conditions on taste-testing activities.** The following conditions apply to taste-testing activities allowed under this section.

A. An individual at a taste-testing activity may not be charged a fee.

B. An individual at a taste-testing activity may not be served a taste-testing sample of more than 4 ounces of malt liquor, 1 1/2 ounces of wine or 1/2 ounce of spirits. An individual is limited to 6 samples per day per manufacturer licensed under section 1355-A.

C. Malt liquor, wine or spirits for taste testing may not be poured in advance and made available for individuals participation in the taste testing to serve themselves.

D. An individual at a taste-testing activity who is visibly intoxicated may not be served malt liquor, wine or spirits.

E. Taste-testing activities must be conducted within the hours of retail sales established in this Title.

F. Taste-testing activities are not allowed in any municipality where on-premises and off-premises sales are not allowed pursuant to chapter 5.

G. A licensee under section 1355-A conducting a taste-testing activity at a farmers' market must keep a record of when and where the activity took place.

H. A licensee may provide for taste testing only liquor that is manufactured by the licensee in accordance with section 1355-A.

See title page for effective date.

**CHAPTER 169**

**S.P. 539 - L.D. 1544**

**An Act To Update the Maine Insurance Code To Maintain Conformance with Uniform National Standards**

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

**PART A**

**Sec. A-1. 24 MRSA §2306**, as amended by PL 1997, c. 592, §3, is further amended to read:

**§2306. Reports**

~~Annually, on or before March 1st, every~~ Every corporation organized under this chapter shall file in the office of the superintendent ~~a statement~~ annual and quarterly financial statements substantially similar to those required of health insurers under Title 24-A, sections 423, 423-A and 423-D verified by at least 2 of the principal officers of that corporation showing its condition on the previous December 31st. The statement must be on an annual or quarterly statement blank of the National Association of Insurance Commissioners for use by nonprofit hospital or medical service corporations, be prepared in accordance with the association's annual or quarterly statement instructions, follow practices and procedures prescribed by the association's accounting practices and procedures manual and be accompanied by any useful or necessary modification or adaptation and any additional information required by the superintendent. The superintendent may by rule or order require the filing of more frequent reports.

A nonprofit hospital or medical service corporation that controls and operates a health maintenance organization as a division or line of business of the corporation shall file on a continuing basis any additional periodic financial reports required by ~~the superintendent by rule~~ Title 24-A, section 4208.

**Sec. A-2. 24 MRSA §2317-B, sub-§§1-A and 1-B** are enacted to read:

**1-A. Title 24-A, section 423-C.** Reports of material transactions, Title 24-A, section 423-C;

**1-B. Title 24-A, section 423-G.** Corporate governance annual disclosure, Title 24-A, section 423-G;

**Sec. A-3. 24 MRSA §2317-B, sub-§16-B** is enacted to read:

**16-B. Title 24-A, chapter 11.** Assets and liabilities, Title 24-A, chapter 11;

**Sec. A-4. 24-A MRSA §423-A**, as enacted by PL 1985, c. 330, §6, is amended to read:

**§423-A. Interim financial reporting requirements**

**1. Quarterly statement.** ~~Within 45 days~~ No later than the 15th day of the 2nd month following the close of any calendar quarter, except the 4th quarter, an authorized insurer, that is subject to the requirements of section 423, shall ~~upon the superintendent's request, made to the authorized insurer, not later than the end of the quarter to be reported upon~~ file a quarterly report statement of financial condition with the Bureau of Insurance superintendent.

**2. Form and content.** ~~The quarterly report shall statement must be in the form requested by the superintendent and shall contain such information as the superintendent deems necessary or if the superintendent elects shall be conformed to the reporting format developed prescribed by the National Association of Insurance Commissioners and which is in customary use in the United States for differing types of authorized insurers must be prepared in accordance with the association's quarterly statement instructions.~~

**3. Verification.** ~~The report shall~~ must be verified by the oath of the insurer's president or vice-president, and the secretary or actuary as applicable, or in the absence of the foregoing, by 2 other principal officers; or if a reciprocal insurer, by the oath of the attorney-in-fact or its like officers if a corporation.

**4. Supplemental reporting.** Upon the superintendent's request, the insurer shall file periodic reports of financial condition on a monthly basis, or at other intervals prescribed by the superintendent, in such form and containing such information as the superintendent prescribes.

**Sec. A-5. 24-A MRSA §423-G** is enacted to read:

**§423-G. Corporate governance annual disclosure**

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

A. "Corporate governance annual disclosure" or "CGAD" means a confidential report filed by an insurer or insurance group pursuant to this section.

B. "Domestic insurance carrier" means an insurance company, health maintenance organization, fraternal benefit society, nonprofit hospital or medical service organization or nonprofit health plan domiciled in this State.

C. "Insurance group" means the insurance carriers and affiliates included within a domestic insurance carrier's insurance holding company system as defined in section 222, subsection 2, paragraph C.

D. "Lead state," with respect to an insurance group, means the state designated as the lead state

for the insurance group as determined by the procedures outlined in the most recent financial analysis handbook adopted by the NAIC, except that if the designated lead state does not have a corporate governance disclosure law substantially similar to this section, the superintendent shall designate this State or another state with a substantially similar law as the lead state for purposes of this section.

E. "NAIC" means the National Association of Insurance Commissioners or its successor organization of insurance regulators.

**2. Disclosure requirement.** This subsection governs corporate governance annual disclosure filings.

A. A domestic insurance carrier shall file a corporate governance annual disclosure in accordance with this subsection no later than June 1st of each calendar year. The carrier's insurance group may file the CGAD on behalf of the carrier.

(1) If the CGAD is completed at the insurance group level, and this State is not the group's lead state, the CGAD must be filed with the chief insurance regulator of the lead state in accordance with the laws of the lead state, and a copy must be filed with the superintendent if requested by the superintendent.

(2) If the CGAD is completed at the legal entity level or if this State is the group's lead state, the CGAD must be filed with the superintendent.

B. The CGAD must contain the information described in subsection 3, paragraph B and must include a signature of the domestic insurance carrier or insurance group's chief executive officer or corporate secretary attesting to the best of that individual's belief and knowledge that the domestic insurance carrier has implemented the corporate governance practices and that a copy of the CGAD has been provided to the domestic insurance carrier's board of directors or the appropriate committee thereof.

C. A CGAD may provide information regarding corporate governance at the level of the group's ultimate controlling parent or intermediate holding company, at the individual legal entity level or at any combination of these levels depending upon how the domestic insurance carrier or insurance group has structured its system of corporate governance. The domestic insurance carrier or insurance group is encouraged to make the CGAD at the level:

(1) At which the domestic insurance carrier's or insurance group's risk appetite is determined;

(2) At which the earnings, capital, liquidity, operations and reputation of the domestic insurance carrier are overseen collectively and at which the supervision of those factors is coordinated and exercised; or

(3) At which legal liability for failure of general corporate governance duties is placed.

If the domestic insurance carrier or insurance group determines the level of reporting based on the 3 criteria under this paragraph, it shall indicate which of the criteria were used to determine the level or levels of reporting and explain any subsequent changes in the level of reporting.

D. If the CGAD is completed at the insurance group level, the lead state shall conduct the review of the CGAD and any additional requests for information must be made through the lead state.

E. Domestic insurance carriers providing information substantially similar to the information required by this section in other documents provided to the superintendent, including proxy statements filed in conjunction with Form B requirements or other state or federal filings provided to the bureau, may not be required to duplicate that information in the CGAD, but may only be required to cross-reference the document in which the information is included.

**3. Contents of corporate governance annual disclosure.** This subsection governs the contents of corporate governance annual disclosure filings.

A. The domestic insurance carrier or insurance group shall ensure that the CGAD contains the material information necessary to permit the superintendent to gain an understanding of the domestic insurance carrier's or insurance group's corporate governance structure, policies and practices. The superintendent may require additional information that is determined to be material and necessary to provide a clear understanding of the corporate governance policies, including the reporting or information system or controls implementing those policies.

B. The CGAD must be prepared consistent with rules adopted pursuant to subsection 6. Documentation and supporting information must be maintained and made available upon examination or upon request of the superintendent.

C. The domestic insurance carrier or insurance group has discretion over its responses to the CGAD inquiries, as long as those responses meet the requirements of this section.

**4. Confidentiality.** This subsection governs confidentiality in corporate governance annual disclosure filings.

A. Documents, materials or other information in the possession or control of the bureau that are obtained by, created by or disclosed to the superintendent or any other person under this section, including the CGAD, are confidential and privileged, are not public records within the meaning of the Freedom of Access Act, are not subject to subpoena, are not subject to discovery or admissible in evidence in any private civil action and may not be made public without the prior written consent of the domestic insurance carrier. Neither the superintendent nor any person who received information from or under the authority of the superintendent under this section may be permitted or required to testify in any private civil action concerning information that is confidential under this subsection.

B. This subsection does not prohibit the superintendent from using information that is confidential under this subsection in the furtherance of any regulatory or legal action brought as a part of the superintendent's official duties.

C. The superintendent may share information that is confidential under this subsection only in accordance with the requirements of section 216, subsection 5.

D. The privilege provided by this subsection does not supersede any other applicable privilege or confidentiality protection, nor does disclosure of confidential information to the superintendent pursuant to this section constitute a waiver of any such privilege or protection.

**5. NAIC and independent consultants.** This subsection governs independent consultants retained to review corporate governance annual disclosure and compliance with this section.

A. The superintendent may retain, at the domestic insurance carrier's expense, independent consultants as provided in section 208, including attorneys, actuaries, accountants and other experts as may be reasonably necessary to assist the superintendent in reviewing the CGAD and related information or the domestic insurance carrier's compliance with this section.

B. Any persons retained under paragraph A must be under the direction and control of the superintendent, are subject to the same confidentiality standards and requirements as the superintendent and must act in a purely advisory capacity.

C. The superintendent may not retain an independent consultant that has not verified to the superintendent, with notice to the domestic insurance carrier, that it is free of a conflict of interest and that it has internal procedures in place to monitor ongoing freedom from conflicts and to

comply with the confidentiality standards and requirements of this section.

D. The superintendent may share confidential information provided or obtained under this section with the NAIC only in accordance with a written agreement that contains the provisions specified in section 216, subsection 5, paragraph C and the following additional provisions:

(1) Procedures and protocols for sharing by the NAIC only with other state regulators from states in which the insurance group has domiciled insurance carriers. The agreement must provide that the recipient agrees to maintain the confidentiality and privileged status of the CGAD-related documents, materials or other information and must document the NAIC's legal authority to maintain confidentiality;

(2) A provision that prohibits the NAIC from storing the information shared pursuant to this section in a permanent database after the underlying analysis is completed;

(3) A provision requiring the NAIC to provide prompt notice to the superintendent, in addition to the notice to the domestic insurance carrier or insurance group required by section 216, regarding any subpoena, request for disclosure or request for production of the domestic insurance carrier's or insurance group's CGAD-related information; and

(4) A provision expressly requiring the written consent of the domestic insurance carrier before any information shared pursuant to this section may be made public.

E. The superintendent may share confidential information provided or obtained under this section with an independent consultant only in accordance with a written agreement that makes compliance with the confidentiality requirements of this section one of the consultant's duties as a state contractor and includes all protections that the NAIC is required to provide in an agreement entered into under paragraph D.

6. Rules. The superintendent may adopt reasonable rules as necessary to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

7. Severability. If any provision of this section other than subsection 4, or the application thereof to any person or circumstance, is determined to be invalid, that determination does not affect the provisions or applications of this section that can be given effect without the invalid provision or application, and to

that end the provisions of this section with the exception of subsection 4 are severable.

8. Relationship to other laws. This section may not be construed to prescribe or impose corporate governance standards and internal procedures beyond those required of business corporations under Title 13-C. This section may not be construed to limit the superintendent's examination authority under sections 221 and 222 or the rights or obligations of 3rd parties in connection with examinations conducted under those sections.

**Sec. A-6. 24-A MRSA §1102, sub-§4,** as amended by PL 1987, c. 399, §4, is further amended to read:

4. Any investment limitation or diversification requirement based upon the amount of the insurer's assets or particular funds ~~shall~~ **must** relate to such assets or funds as shown by the insurer's annual or quarterly statement as of the ~~December 31st next~~ statement date immediately preceding the date of acquisition of the investment by the insurer or as shown by a current applicable financial statement, prepared on the same basis as that annual or quarterly statement, resulting from merger with another insurer, bulk reinsurance or change in capitalization.

**Sec. A-7. 24-A MRSA §1152, sub-§4,** as enacted by PL 1987, c. 399, §14, is amended to read:

4. **Basis for limitation or diversification.** Any investment limitation or diversification requirement based upon the amount of the insurer's assets or particular funds ~~shall~~ **must** relate to such assets or funds as shown by the insurer's annual or quarterly statement as of the ~~December 31st next~~ statement date immediately preceding the date of acquisition of the investment by the insurer, or as shown by a current applicable financial statement, prepared on the same basis as that annual or quarterly statement, resulting from merger with another insurer, bulk reinsurance or change in capitalization.

**Sec. A-8. 24-A MRSA §4134, sub-§1,** as amended by PL 1997, c. 592, §70, is further amended to read:

1. Every society transacting business in this State shall annually, on or before the first day of March, unless for cause shown such time has been extended by the superintendent, file with the superintendent a true statement of its financial condition, transactions and affairs for the preceding calendar year. The statement must be in general form and context as approved by the National Association of Insurance Commissioners for fraternal benefit societies and as supplemented by additional information required by the superintendent. The society shall also file quarterly statements in accordance with the National Association of Insurance Commissioners quarterly statement instructions for fraternal benefit societies, if ap-

plicable, and shall report material investment and reinsurance transactions consistent with section 423-C. If the society provides health care benefits, it shall file a health insurance supplement consistent with section 423-D. The fee for filing the annual statement is the same as for an insurer as provided in section 601.

**Sec. A-9. 24-A MRSA §4134, sub-§7**, as amended by PL 1973, c. 585, §12, is further amended to read:

7. A society neglecting to file the annual or quarterly statement in the form and within the time provided by this section shall forfeit \$100 for each day during which such neglect continues, and, upon notice by the superintendent to that effect, its authority to do business in this State ~~shall cease~~ ceases while such default continues.

**Sec. A-10. 24-A MRSA §4204-A, sub-§2**, as amended by PL 2001, c. 88, §§3 to 5, is further amended to read:

**2. Surplus maintained.** Except as provided in this section, every health maintenance organization must maintain a minimum surplus equal to the greater of:

- A. One million dollars;
- B. Two percent of the first \$150,000,000 of annual premium revenues as reported in the most recent annual financial statement covering filed with the superintendent by the health maintenance organization's immediately preceding fiscal year as filed with the superintendent on the first \$150,000,000 of premium and organization, plus 1% of annual premium on the premium in excess of \$150,000,000;
- C. An amount equal to the sum of 3 ~~months~~ months' uncovered health care expenditures as reported ~~on~~ in the most recent annual financial statement covering filed with the superintendent by the health maintenance organization's immediately preceding fiscal year as filed with the superintendent organization;
- D. An amount equal to 8% of the health maintenance organization's annual health care expenditures, except those paid on a capitated basis, as reported on in the most recent annual financial statement covering filed with the superintendent by the health maintenance organization's immediately preceding fiscal year as filed with the superintendent organization; or
- E. An amount equal to the company action level risk-based capital as defined in chapter 79.

**Sec. A-11. 24-A MRSA §4208**, as amended by PL 1993, c. 313, §§33 to 35, is further amended to read:

## **§4208. Annual and interim reports**

1. Every health maintenance organization shall file ~~annually, on or before March 1st or within any reasonable extension of time that the superintendent for good cause shown may have granted on or before March 1st, with the superintendent a full and true statement of its financial condition, transactions and affairs as of December 31st of the preceding year~~ annual and quarterly financial statements substantially similar to those required of health insurers under sections 423, 423-A and 423-D, verified by at least 3 principal officers, and shall provide a copy of that each statement to the Commissioner of Health and Human Services. The superintendent may by rule or order require the filing of quarterly or more frequent reports, which may be required to include liability for uncovered expenditures as well as an audit opinion.

**1-A.** The annual and quarterly statements must be prepared in accordance with the National Association of Insurance Commissioners annual and quarterly statement instructions and must follow practices and procedures prescribed by the National Association of Insurance Commissioners accounting practices and procedures manual for health maintenance organizations. If the health maintenance organization is operated as a division or line of business by an insurer or by a nonprofit hospital or medical service corporation, the superintendent shall designate the applicable portions of the financial statement form that must be filed, so as to eliminate information that is inapplicable to health maintenance organizations that are not separately incorporated and to minimize duplication between the statement filed under this section and the overall financial statement of the insurer or nonprofit hospital or medical service corporation.

**1-B.** Every health maintenance organization shall file an annual audit opinion substantially similar to those required of insurers under section 221-A.

3. ~~The annual statement must be prepared in accordance with the National Association of Insurance Commissioners annual statement instructions and must follow practices and procedures prescribed by the National Association of Insurance Commissioners accounting practices and procedures manual for health maintenance organizations. The annual statement and quarterly statements must include, if required by the Commissioner of Health and Human Services or by the superintendent:~~

- A. A summary of information compiled pursuant to section 4204 in the form required by the Commissioner of Health and Human Services; and
- B. Other information related to the performance of the health maintenance organization that is necessary to enable the superintendent to carry out the superintendent's duties under this chapter.

4. The superintendent may refuse to continue or may suspend or revoke the certificate of authority of a health maintenance organization failing to file an annual or quarterly statement when due.

**Sec. A-12. 24-A MRSA §4222-B, sub-§5**, as amended by PL 2001, c. 88, §6, is further amended to read:

5. The requirements of ~~section 222, subsections 2 to 9, subsections 11 A and 11 B and subsections 13 to 18~~ sections 221 to 228, to the extent not inconsistent with this chapter and the reasonable implications of this chapter, apply to domestic health maintenance organizations.

**Sec. A-13. 24-A MRSA §4222-B, sub-§§23 and 24** are enacted to read:

**23.** Section 423-C, relating to reporting of material investment and reinsurance transactions, applies to health maintenance organizations.

**24.** Section 423-G, relating to corporate governance annual disclosure filings, applies to health maintenance organizations.

**Sec. A-14. Corporate governance annual disclosure filing due date.** A domestic insurance carrier's initial corporate governance annual disclosure filing pursuant to the Maine Revised Statutes, Title 24-A, section 423-G, is due on June 1, 2018.

## PART B

**Sec. B-1. 24-A MRSA §221, sub-§1**, as amended by PL 1993, c. 313, §2, is further amended to read:

1. For the purpose of determining its financial condition, fulfillment of its contractual obligations and compliance with the law, the superintendent shall examine the affairs, transactions, accounts, records and assets of each authorized insurer, and of any person as to any matter relevant to the financial affairs of the insurer or to the examination, as often as the superintendent determines advisable. In determining the nature, scope and timing of an examination, the superintendent shall consider criteria, including, but not limited to, the results of financial statement analyses and ratios, changes in management or ownership, actuarial opinions, reports of independent certified public accountants and other criteria adopted by the National Association of Insurance Commissioners and published in its Examiners' Financial Condition Examiners Handbook or Market Regulation Handbook, as applicable, or their successor publications. Except as otherwise expressly provided, domestic insurers must be examined at least once every 3 years, unless the superintendent defers making an examination for a longer period; but in no event may an authorized insurer be examined less frequently than once every 5 years. Examination of an alien insurer is limited to its insurance transactions, assets, trust deposits and affairs in

the United States, except as otherwise required by the superintendent.

**Sec. B-2. 24-A MRSA §222, sub-§2, ¶B-3** is enacted to read:

B-3. "Groupwide supervisor" means the regulatory official who is determined or acknowledged by the superintendent under subsection 7-C to have the authority to engage in conducting and coordinating groupwide supervision activities over an internationally active insurance group or other insurance group that has requested groupwide supervision.

**Sec. B-3. 24-A MRSA §222, sub-§2, ¶D-2**, as enacted by PL 1993, c. 313, §8, is amended to read:

D-2. "Net gains gain from operations" means:

- (1) For life insurers, the net income or loss after dividends to policyholders and federal income taxes but before the inclusion of net realized capital gains or losses; and
- (2) For nonlife insurers, the net income or loss after dividends to policyholders and federal income taxes and net realized capital gains or losses.

**Sec. B-4. 24-A MRSA §222, sub-§2, ¶D-6** is enacted to read:

D-6. "Internationally active insurance group" means an insurance holding company system that meets the following criteria:

- (1) The group has premiums written in at least 3 countries;
- (2) The percentage of gross premiums written outside the United States is at least 10% of the insurance holding company system's total gross written premiums; and
- (3) Based on a 3-year rolling average, the total assets of the insurance holding company system are at least \$50,000,000,000 or the total gross written premiums of the insurance holding company system are at least \$10,000,000,000.

**Sec. B-5. 24-A MRSA §222, sub-§4-C, ¶C**, as enacted by PL 2013, c. 238, Pt. A, §11 and affected by §34, is amended to read:

C. An application required by paragraph A must contain the following information as applicable, made under oath or affirmation, except that if the proposed transaction is subject to regulation under the Exchange Act or Title 32, chapter 135, the superintendent may accept the relevant documents filed with the United States Securities and Exchange Commission or the Department of Professional and Financial Regulation, Office of Securi-

ties in lieu of some or all of the documents required by this paragraph:

(1) The name and address of each person by whom or on whose behalf the merger or other acquisition of control is to be effected and:

(a) If the person acquiring control is an individual, the person's principal occupation and all offices and positions held during the past 5 years and any convictions for crimes other than minor traffic violations ~~during the past 10 years~~; and

(b) If the person acquiring control is not an individual, a report of the nature of its business operations during the past 5 years or for a lesser period the person and any predecessors have been in existence; an informative description of the business intended to be done by the person and the person's subsidiaries; and a list of all individuals who are or who have been selected to become directors or executive officers of the person or who perform or will perform functions appropriate to such positions. The list must include the information required by division (a) for each individual listed;

(2) The source, nature and amount of the consideration used or to be used in effecting the merger or other acquisition of control, a description of any transaction through which funds were or are to be obtained for any such purpose, including any pledge of the insurer's stock or the stock of any of its subsidiaries or controlling affiliates, and the identity of persons furnishing consideration. If a source of consideration is a loan made in the lender's ordinary course of business, the identity of the lender is confidential if the person filing the application so requests;

(3) Fully audited financial information as to the earnings and financial condition of each acquiring person for the preceding 5 fiscal years, or for a lesser period if the acquiring person and any predecessors have been in existence for less than 5 years, and similar unaudited information as of a date not earlier than 90 days before the filing of the application;

(4) Any plans or proposals that each acquiring person may have to liquidate the insurer, to sell its assets or merge or consolidate it with any person or to make any other material change in its business or corporate structure or management;

(5) The number of shares of any security referred to in paragraph A that each acquiring

person proposes to acquire, the terms of the offer, request, invitation, agreement or acquisition referred to in paragraph A and a statement as to the method by which the fairness of the proposal was arrived at;

(6) The amount of each class of any security referred to in paragraph A that is beneficially owned or concerning which there is a right to acquire beneficial ownership by each acquiring person;

(7) A full description of any contracts, arrangements or understandings with respect to any security referred to in paragraph A in which any acquiring person is involved, including but not limited to transfer of any of the securities, joint ventures, loan or option arrangements, puts or calls, guarantees of loans, guarantees against loss or guarantees of profits, division of losses or profits or the giving or withholding of proxies. The description must identify the persons with whom the contracts, arrangements or understandings have been entered into;

(8) A description of the purchase by any acquiring person of any security referred to in paragraph A during the 12 calendar months preceding the filing of the application, including the dates of purchase, names of the purchasers and consideration paid or agreed to be paid;

(9) A description of any recommendations to purchase any security referred to in paragraph A made during the 12 calendar months preceding the filing of the application by any acquiring person or by anyone based upon interviews with or at the suggestion of the acquiring person;

(10) Copies of all tender offers for, requests or invitations for tenders of, exchange offers for and agreements to acquire or exchange any securities referred to in paragraph A and copies of any additional related soliciting material that has been distributed;

(11) The terms of any agreement, contract or understanding made or proposed to be made with any broker-dealer as to solicitation of securities referred to in paragraph A for tender and the amount of any fees, commissions or other compensation to be paid to broker-dealers with regard to the solicitation of securities referred to in paragraph A;

(12) An agreement by the person required to file the application to provide the annual enterprise risk report required by subsection 8, paragraph B-1 for as long as control by the person exists;

(13) An acknowledgement by the person required to file the application that the person and all subsidiaries within its control in the insurance holding company system will provide information to the superintendent upon request as necessary to evaluate enterprise risk to the insurer;

(14) A statement as to whether or not the proposed transaction will result in an increase in market share in this State in any line of insurance as specified in the annual statement required to be filed under section 423 for one or more insurers with combined market share greater than 5% and, if so, such further information on the competitive impact of the proposed transaction as the superintendent requires by rule or order; and

(15) Such additional information as the superintendent may prescribe by rule or order.

**Sec. B-6. 24-A MRSA §222, sub-§7-C** is enacted to read:

**7-C. Groupwide supervision.** This subsection governs groupwide supervision.

A. The superintendent is authorized to act as the groupwide supervisor in accordance with the provisions of this subsection for any internationally active insurance group, or any other insurance holding company system that has requested the identification of a groupwide supervisor pursuant to this subsection, or to acknowledge another regulatory official as the groupwide supervisor if the insurance group:

(1) Does not have substantial insurance operations in the United States;

(2) Has substantial insurance operations in the United States, but not in this State; or

(3) Has substantial insurance operations in the United States and this State, but the superintendent has determined pursuant to the factors set forth in paragraphs B and G that the other regulatory official is the appropriate groupwide supervisor.

B. In cooperation with other state, federal and international regulatory agencies, and in consultation with the insurance group, the superintendent shall identify a single groupwide supervisor for each internationally active insurance group that includes an insurer registered under subsection 8 and has the discretion to identify a single groupwide supervisor for any other insurance holding company system that has requested that the superintendent identify a groupwide supervisor. The superintendent may determine that the superintendent is the appropriate groupwide supervisor for an insurance group that conducts substantial in-

surance operations concentrated in this State or may acknowledge that a regulatory official from another jurisdiction is the appropriate groupwide supervisor for the insurance group. The superintendent shall consider the following factors when making a determination or acknowledgment under this paragraph and shall reconsider that determination or acknowledgment if the superintendent finds that there has been a material change in the following factors:

(1) The place of domicile of the insurers within the insurance group that hold the largest share of the group's written premiums, assets or liabilities;

(2) The place of domicile of the top-tiered insurer or insurers in the insurance holding company system of the insurance group;

(3) The location of the executive offices or largest operational offices of the insurance group;

(4) The recommendation made by a regulatory official who is a candidate for designation under the criteria in this paragraph but has notified the superintendent that a different regulatory official would be a more appropriate groupwide supervisor;

(5) Whether another regulatory official is acting or is seeking to act as the groupwide supervisor under a regulatory system that the superintendent determines to be:

(a) Substantially similar to the system of regulation provided under the laws of this State; or

(b) Otherwise sufficient in terms of providing for groupwide supervision, enterprise risk analysis and cooperation with other regulatory officials; and

(6) Whether another regulatory official acting or seeking to act as the groupwide supervisor provides the superintendent with reasonably reciprocal recognition and cooperation.

C. If another regulatory official is acting as the groupwide supervisor of an insurance group subject to groupwide supervision under this subsection, the superintendent shall acknowledge that regulatory official as the groupwide supervisor and may not consider designating the superintendent as the groupwide supervisor under paragraph B unless there is a material change in the insurance group that results in:

(1) The insurance group's insurers domiciled in this State holding the largest share of the group's premiums, assets or liabilities; or

(2) This State being the place of domicile of the top-tiered insurer or insurers in the insurance holding company system of the insurance group.

D. If more than one regulatory official is acting as the groupwide supervisor of an insurance group, the superintendent is authorized to cooperate with any of them under paragraph G.

E. Pursuant to subsection 1-A, the superintendent is authorized to collect from any insurer registered pursuant to subsection 8 all information necessary to determine whether the superintendent should act as the groupwide supervisor of an insurance group or whether the superintendent should acknowledge another regulatory official to act as the groupwide supervisor. Before issuing a determination that an insurance group is subject to groupwide supervision by the superintendent, the superintendent shall notify the insurer registered pursuant to subsection 8 and the ultimate controlling person within the insurance group. The insurance group has no less than 30 days to provide the superintendent with additional information pertinent to the pending determination. The superintendent shall publish on the bureau's publicly accessible website the identity of all insurance groups that the superintendent has determined are subject to groupwide supervision by the superintendent.

F. If the superintendent is the groupwide supervisor for an insurance group, the superintendent is authorized to engage in any of the following groupwide supervision activities:

(1) Assess the enterprise risks within the insurance group to ensure that:

(a) The material financial condition and liquidity risks to the members of the insurance group that are engaged in the business of insurance are identified by management; and

(b) Reasonable and effective mitigation measures are in place;

(2) Request, from any member of the insurance group, information necessary and appropriate to assess enterprise risk, including, but not limited to, information about the members of the insurance group regarding:

(a) Governance, risk assessment and management;

(b) Capital adequacy; and

(c) Material intercompany transactions;

(3) Coordinate and, through the authority of the regulatory officials of the jurisdictions where members of the insurance group are

domiciled, compel development and implementation of reasonable measures designed to ensure that the insurance group is able to promptly recognize and mitigate enterprise risks to members of the insurance group that are engaged in the business of insurance;

(4) Communicate with other state, federal and international agencies that regulate members of the insurance group and share relevant information subject to the confidentiality provisions of subsection 13-A, through supervisory colleges as set forth in subsection 7-B or otherwise;

(5) Enter into agreements with or obtain documentation from any insurer registered under subsection 8, any member of the insurance group and any other state, federal and international regulatory agencies for members of the insurance group, providing the basis for or otherwise clarifying the superintendent's role as groupwide supervisor, including provisions for resolving disputes with other regulatory officials. Such agreements or documentation may not serve as evidence in any proceeding that any insurer or person within an insurance holding company system not domiciled or incorporated in this State is doing business in this State or is otherwise subject to jurisdiction in this State; and

(6) Other groupwide supervision activities, consistent with the authorities and purposes set out in subparagraphs (1) to (5), as considered necessary by the superintendent.

G. If the superintendent acknowledges that another regulatory official from a jurisdiction that is not accredited by the National Association of Insurance Commissioners is the groupwide supervisor, the superintendent is authorized to cooperate reasonably, through supervisory colleges or otherwise, with groupwide supervision undertaken by the groupwide supervisor, as long as:

(1) The superintendent's cooperation is in compliance with the laws of this State; and

(2) The regulatory official acknowledged as the groupwide supervisor also recognizes and cooperates with the superintendent's activities as a groupwide supervisor for other insurance groups as applicable. When such recognition and cooperation is not reasonably reciprocal, the superintendent is authorized to refuse recognition and cooperation.

H. The superintendent is authorized to enter into agreements with or obtain documentation from any insurer registered under subsection 8, any affiliate of the insurer and other state, federal and international regulatory agencies for members of

the insurance group in order to provide the basis for or otherwise clarify a regulatory official's role as groupwide supervisor.

I. The superintendent may adopt rules necessary for the administration of this subsection. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

J. A registered insurer subject to this subsection is liable for and shall pay the reasonable expenses of the superintendent's participation in the administration of this subsection, including the engagement of attorneys, actuaries and any other professionals and all reasonable travel expenses.

**Sec. B-7. 24-A MRSA §222, sub-§9, ¶A-1,** as enacted by PL 2013, c. 238, Pt. A, §21 and affected by §34, is amended to read:

A-1. Agreements for ~~cost-sharing~~ management services and management cost sharing must include any provisions required by the superintendent by rule.

**Sec. B-8. 24-A MRSA §222, sub-§9, ¶E,** as amended by PL 2013, c. 238, Pt. A, §21 and affected by §34, is further amended to read:

E. A domestic insurer shall notify the superintendent in writing at least 30 days in advance, unless the superintendent authorizes a shorter period, before entering into or materially amending or modifying any of the following kinds of transactions with any member of its holding company system:

(1) Sales, purchases, exchanges, loans or extensions of credit, guarantees or investments that are equal to or exceed:

(a) With respect to nonlife insurers, the lesser of 3% of the insurer's admitted assets as of December 31st of the preceding year and 25% of surplus to policyholders;

(b) With respect to life insurers, 3% of the insurer's admitted assets as of December 31st of the preceding year; or

(c) With respect to nonprofit hospital and medical service organizations and their 100% controlled affiliates that operate as monoline health insurers or health maintenance organizations, the lesser of 5% of the entity's admitted assets as of December 31st of the preceding year and 25% of surplus to policyholders;

(2) Loans or extensions of credit to any person who is not an affiliate, if the insurer makes the loan or extension of credit with the agreement or understanding that the proceeds

in whole or in substantial part are to be used to make loans or extensions of credit to, purchase assets of or make investments in any affiliate of the insurer if the loan, extension of credit, purchase or investment is equal to or exceeds:

(a) With respect to nonlife insurers, the lesser of 3% of the insurer's admitted assets as of December 31st of the preceding year and 25% of surplus to policyholders;

(b) With respect to life insurers, 3% of the insurer's admitted assets as of December 31st of the preceding year; or

(c) With respect to nonprofit hospital and medical service organizations and their 100% controlled affiliates that operate as monoline health insurers or health maintenance organizations, the lesser of 5% of the entity's admitted assets as of December 31st of the preceding year and 25% of surplus to policyholders;

(3) All reinsurance pooling agreements, and all reinsurance agreements in which the reinsurance premium or a change in the insurer's liabilities, or the projected reinsurance premium or a projected change in the insurer's liabilities in any of the next 3 years, equals or exceeds 5% of the insurer's surplus to policyholders, as of December 31st of the preceding year, including those agreements that may require as consideration the transfer of assets from an insurer to a nonaffiliate if an agreement or understanding exists between the insurer and nonaffiliate that any portion of the assets will be transferred to one or more affiliates of the insurer;

(4) All management agreements, cost-sharing arrangements, tax allocation agreements, service contracts and guaranties, with the exception of guaranties that are quantifiable in amount and do not exceed, in the aggregate, the lesser of 0.5% of admitted assets and 10% of surplus as regards policyholders as of December 31st of the preceding year;

(5) Any transactions that are part of a plan or series of like transactions with persons within the holding company system if ~~the purpose of those separate transactions is to avoid the statutory threshold amount and thus avoid the review that would occur otherwise~~ transactions when aggregated over any 12-month period exceed the reporting thresholds of this paragraph. If the superintendent determines that those separate transactions were entered

into over any 12 month period for such a purpose, the superintendent may exercise authority for the purpose of avoiding regulatory review by circumventing statutory reporting requirements, that determination is a sufficient basis for disapproving the transactions under this subsection; and

(6) Any other material transactions specified by rule that the superintendent has determined may adversely affect the interests of the insurer's policyholders.

A notice of amendment or modification of a transaction must include the reasons for the change and the financial impact on the domestic insurer. The insurer shall notify the superintendent within 30 days after terminating an agreement previously reported under this paragraph.

The superintendent shall disapprove a transaction that is subject to this paragraph if the transaction violates the standards of this section or other applicable law or adversely affects the interests of policyholders. The superintendent's failure to make a determination on a proposed transaction within 30 days after it has been submitted for review has the effect of an approval, unless the superintendent has issued a notice of adjudicatory hearing on the proposal in accordance with section 230.

**Sec. B-9. 24-A MRSA §222, sub-§11-C,** ¶C, as enacted by PL 2009, c. 511, Pt. A, §5, is amended to read:

C. An extraordinary dividend may not be paid until affirmatively approved by the superintendent or until at least 60 days after the superintendent has received a request to pay an extraordinary dividend.

(1) For purposes of this subsection, "extraordinary dividend" means any dividend or distribution, other than a pro rata distribution of a class of the insurer's own securities, that:

(a) ~~Exceeds~~ When aggregated with all other dividends and distributions paid or proposed to be paid by the insurer less than a full year before the payment date, exceeds the greater of 10% of the insurer's surplus to policyholders as of December 31st of the preceding year or and the net gain from operations for the preceding calendar year, whichever is greater;

(b) Is declared within 5 years after any acquisition of control of a domestic insurer or of any person controlling that insurer, unless it has been approved by a number of continuing directors equal to a

majority of the directors in office immediately preceding that acquisition of control; or

(c) Is not paid entirely from unassigned funds. For purposes of this division, 50% of the net of unrealized capital gains and unrealized capital losses, reduced, but not to less than zero, by that portion of the asset valuation reserve attributable to equity investments, must be excluded from the calculation of unassigned funds.

(2) An insurer may declare an extraordinary dividend on a conditional basis, subject to the superintendent's approval. A declaration pursuant to this subparagraph does not confer any rights upon stockholders until the superintendent has approved the payment or the 60-day review period has elapsed.

**Sec. B-10. 24-A MRSA §222, sub-§13-A,** ¶A, as enacted by PL 2013, c. 238, Pt. A, §26 and affected by §34, is amended to read:

A. For purposes of this subsection, "holding company information" means any of the following documents, materials and other information if the document, material or other information has not specifically and expressly been designated as a public record by other applicable law:

(1) Information obtained by the superintendent pursuant to an examination or investigation pursuant to subsection 1-A to the same extent as the information would have been confidential if obtained in an examination or investigation conducted under section 220 or 221;

(2) A registration statement or report filed under subsection 8, including all supporting information;

(3) A report filed under subsection 9, including all supporting information;

(4) A notice of proposed divestiture filed under subsection 4-C, paragraph B, until the divestiture transaction has occurred;

(5) A disclosure of the beneficial owner of securities made by a broker-dealer pursuant to subsection 4-C, paragraph E;

(6) The identity of a lender that is to finance a proposed transaction if declared confidential under subsection 4-C, paragraph C, subparagraph (2);

(7) Information filed in support of any required attestation of risk management or internal controls under subsection 4-C, paragraph C, subparagraph (12) or (13);

(8) A competitive impact statement filed under subsection 4-C, paragraph C, subparagraph (14), including all supporting information;

(8-A) Groupwide supervision information reported or provided to the superintendent under subsection 7-C:

(9) Information obtained under an information-sharing agreement entered into pursuant to this section to the extent that it is protected by the confidentiality provisions of the agreement;

(10) Information obtained pursuant to this section from a jurisdiction other than this State to the extent that it is confidential under the laws of the jurisdiction in which it is normally maintained; and

(11) Information obtained under this section to the extent that it is confidential under other applicable law, including, but not limited to, section 216, section 225 and Title 1, section 402, subsection 3.

**Sec. B-11. 24-A MRSA §223, sub-§1**, as amended by PL 1991, c. 828, §7, is further amended to read:

1. Whenever the superintendent determines to examine the affairs of any person, the superintendent shall designate one or more examiners and instruct them as to the scope of the examination. The superintendent may designate a bureau employee or may designate an examiner outside the bureau if the designee is a competent public accountant or an actuary who is a member of the American Academy of Actuaries and is in active practice who has been retained pursuant to section 208. Examiners may be attorneys, appraisers, independent actuaries, independent certified public accountants or other professionals and specialists with skills relevant to the examination. The examiner shall, upon demand, exhibit the examiner's official credentials to the person under examination.

A. An examiner may not be designated by the superintendent if the examiner directly or indirectly has a conflict of interest or is affiliated with the management of or owns a pecuniary interest in any person subject to examination under sections 221 and 222. This section may not be construed to preclude automatically an examiner from being:

(1) A policyholder or claimant under an insurance policy;

(2) A grantor of a mortgage or similar instrument on the examiner's residence to a regulated entity if done under customary terms and in the ordinary course of business;

(3) An investment owner in shares of regulated diversified investment companies; or

(4) A settlor or beneficiary of a "blind trust" into which any otherwise impermissible holdings have been placed.

**Sec. B-12. 24-A MRSA §223, sub-§2**, as amended by PL 1993, c. 313, §14, is further amended to read:

2. The superintendent shall conduct each examination in an expeditious, fair and impartial manner, consistent with current guidelines and procedures adopted from time to time by the National Association of Insurance Commissioners and published in its Examiners' Financial Condition Examiners Handbook or Market Regulation Handbook, as applicable, or their successor publications.

### PART C

**Sec. C-1. 24-A MRSA §731-B, sub-§1, ¶D**, as amended by PL 2013, c. 238, Pt. B, §6, is further amended to read:

D. Does not meet the requirements of paragraph A, B, B-1, B-2 or C, but only with respect to risks located in a jurisdiction where that reinsurance is required by law. The superintendent may waive the requirements of subsections 2 and 5 to the extent that compliance with those requirements is not feasible for compulsory reinsurance subject to this paragraph. The superintendent for good cause after notice and opportunity for hearing may disallow or reduce the credit otherwise permitted under this paragraph.

**Sec. C-2. 24-A MRSA §731-B, sub-§2-B** is enacted to read:

2-B. Through rules adopted under subsection 7, the superintendent may establish additional requirements that reinsurance agreements that are subject to this subsection must satisfy to qualify for credit.

A. This subsection applies only to reinsurance of:

(1) Life insurance policies with guaranteed nonlevel gross premiums or guaranteed nonlevel benefits;

(2) Universal life insurance policies with provisions resulting in the ability of a policyholder to keep a policy in force over a secondary guarantee period;

(3) Variable annuities with guaranteed death or living benefits;

(4) Long-term care insurance policies; or

(5) Other life and health insurance and annuity products for which the National Association of Insurance Commissioners adopts

model regulatory requirements with respect to credit for reinsurance.

B. Requirements established under this subsection may address:

- (1) The valuation of assets or reserve credits;
- (2) The amount and forms of acceptable security, in accordance with rules that may supplement or modify the requirements of subsection 3; and
- (3) The circumstances pursuant to which credit will be reduced or eliminated.

C. Requirements established under this subsection may take into consideration the results of applying the valuation manual adopted under section 959 to ceded policies whose statutory reserves are calculated according to a prior methodology.

D. Requirements established with respect to reinsurance described in paragraph A, subparagraphs (1) and (2) may apply to any treaty for which the risk ceded includes:

- (1) Policies issued on or after January 1, 2015; or
- (2) Risk on policies issued before January 1, 2015 and ceded in connection with the treaty, in whole or in part, on or after January 1, 2015.

E. This subsection does not apply to cessions to an assuming insurer that:

- (1) Is certified in this State pursuant to subsection 1, paragraph B-2; or
- (2) Maintains at least \$250,000,000 in capital and surplus as determined in accordance with section 901-A, excluding the impact of any permitted or prescribed practices; and is:
  - (a) Licensed in at least 26 states; or
  - (b) Licensed in at least 10 states and licensed or accredited in a total of at least 35 states.

## PART D

**Sec. D-1. 24-A MRSA §4379, first ¶,** as enacted by PL 1969, c. 132, §1, is amended to read:

The priorities in distribution of assets from the insurer's estate ~~shall be to pay unsecured claims, including the unsecured portion of undersecured claims,~~ are in the order as shown in this section. The first \$50 of the amount allowed on each claim in the classes under subsections ~~2 to 3,~~ 4, 4-B, 5 and 6 ~~shall must~~ be deducted from the claim and included in the class under subsection 8. Claims ~~shall may~~ not be cumulated by assignment to avoid application on the \$50 deductible provision. Subject to the \$50 deductible provision,

every claim in each class ~~shall~~ must be paid in full or adequate funds retained for the payment thereof before claims of the next succeeding class receive any payment. No subclasses ~~shall may~~ be established within any class.

**Sec. D-2. 24-A MRSA §4379, sub-§2,** as enacted by PL 1969, c. 132, §1, is repealed.

**Sec. D-3. 24-A MRSA §4379, sub-§§4-A and 4-B** are enacted to read:

**4-A. Federal claims.** Claims of the Federal Government not included in the classes under subsections 3 or 4, except to the extent that a similar claim would be subordinated in a proceeding conducted under the United States Bankruptcy Code.

**4-B. Wages.** Debts due to employees of the insurer, other than officers, for services performed, not to exceed \$1,000 to each employee and earned within one year immediately preceding the filing of the petition for liquidation. This priority is in lieu of any other similar priority authorized by law as to wages or compensation of such employees.

**Sec. D-4. 24-A MRSA §4379, sub-§5,** as enacted by PL 1969, c. 132, §1, is amended to read:

**5. Residual classification.** All other claims, including claims of ~~the federal~~ or any state or local government, not falling within other classes under this section. Claims, including those of any governmental body, for a penalty or forfeiture ~~shall be allowed~~ are included in this class only to the extent of the pecuniary loss sustained from the act, transaction or proceeding out of which the penalty or forfeiture arose, with reasonable and actual costs occasioned thereby. The remainder of such claims ~~shall must~~ be postponed to the class of claims under subsection 8.

**Sec. D-5. 24-A MRSA §4379, sub-§8, ¶A,** as enacted by PL 1969, c. 132, §1, is amended to read:

A. The first \$50 of each claim in the classes under subsections ~~2 through 3,~~ 4, 4-B, 5 and 6 subordinated under this section;

**Sec. D-6. 24-A MRSA §4386, sub-§2, ¶A,** as enacted by PL 1981, c. 347, is amended to read:

A. Reserving amounts for the payment of the expenses of administration and the claims falling within the priorities established in section 4379, subsections 1 and ~~2~~ 4-B;

## PART E

**Sec. E-1. 24-A MRSA §6401,** as enacted by PL 1991, c. 828, §33, is amended to read:

### §6401. Short title

This chapter may be known and cited as the "Maine Business Transacted with ~~Broker-Controlled~~ Producer-controlled Insurer Act."

**Sec. E-2. 24-A MRSA §6402, sub-§2**, as enacted by PL 1991, c. 828, §33, is repealed.

**Sec. E-3. 24-A MRSA §6402, sub-§4**, as enacted by PL 1991, c. 828, §33, is amended to read:

**4. Controlling producer.** "Controlling ~~broker~~ producer" means a ~~broker~~ producer who directly or indirectly controls an insurer.

**Sec. E-4. 24-A MRSA §6402, sub-§5**, as enacted by PL 1991, c. 828, §33, is amended to read:

**5. Controlled insurer.** "Controlled insurer" means a licensed property or casualty insurer that is controlled directly or indirectly by a ~~broker~~ producer.

**Sec. E-5. 24-A MRSA §6402, sub-§6**, as enacted by PL 1991, c. 828, §33, is amended to read:

**6. Licensed property or casualty insurer.** "Licensed property or casualty insurer" ~~or "insurer"~~ means any person licensed to transact a property or casualty insurance business, or both, in this State. ~~The following, inter alia, are not licensed insurers for the purposes of this chapter with the exception of:~~

A. ~~All risk retention groups as defined in the federal Superfund Amendments Reauthorization Act of 1986, Public Law No. 99-499, 100 Stat. 1613 (1986) and the Risk Retention Act, 15 United States Code, Section 3901 et seq. and the Maine Liability Risk Retention Act;~~

B. ~~All A residual market pools and pool or joint underwriting authorities authority or associations association; and or~~

C. ~~All captive insurers, which for the purposes of this chapter are insurance companies owned by another organization whose exclusive purpose is to insure risks of the parent organization and affiliated companies or, in the case of groups and associations, insurance organizations owned by the insureds whose exclusive purpose is to insure risks to member organizations or group members and their affiliates. A special purpose reinsurance vehicle holding a limited certificate of authority under section 782 or a captive insurance company, other than a risk retention group, licensed under section 6702.~~

**Sec. E-6. 24-A MRSA §6402, sub-§7**, as amended by PL 1997, c. 457, §53 and affected by §55, is further amended to read:

**7. Producer.** "Producer" means an insurance producer licensed or required to be licensed pursuant to chapter 16 or a person holding or required to hold a comparable license in another state where a licensed property or casualty insurer does business.

**Sec. E-7. 24-A MRSA §6402, sub-§8**, as enacted by PL 1991, c. 828, §33, is amended to read:

**8. Subproducer.** "Subproducer" means a producer who, for shared commission or other recompense, places business with a controlled insurer through a controlling ~~broker~~ producer.

**Sec. E-8. 24-A MRSA §6403**, as enacted by PL 1991, c. 828, §33, is amended to read:

#### §6403. Applicability

This ~~Aet~~ chapter applies to licensed property or casualty insurers ~~as defined in section 6402~~, either domiciled in this State or domiciled in a state that is not an accredited state with a substantially similar law in effect. Section 222, to the extent not modified by this chapter, continues to apply to all parties within holding company systems subject to this chapter.

**Sec. E-9. 24-A MRSA §6404**, as enacted by PL 1991, c. 828, §33, is amended to read:

#### §6404. Minimum standards

**1. Applicability.** This section applies as follows.

A. This section applies if, in any calendar year, the aggregated amount of gross written premium on business placed with a controlled insurer by a controlling ~~broker~~ producer is equal to or greater than 5% of the admitted assets of the controlled insurer as of September 30th of the preceding year, as reported in the controlled insurer's quarterly statement.

B. Notwithstanding paragraph A, this section does not apply if:

(1) The controlling ~~broker~~ producer:

(a) Places insurance only with the controlled insurer, only with the controlled insurer and a member or members of the controlled insurer's holding company system or only with the controlled insurer's parent, affiliate or subsidiary and receives no compensation based upon the amount of premiums written in connection with such insurance; and

(b) Accepts insurance placements only from nonaffiliated subproducers and not directly from insureds; and

(2) The controlled insurer, except for insurance business written through a residual market facility such as the workers' compensation residual market mechanism or the State's automobile assigned risk plan, accepts insurance business only from a controlling ~~broker~~ producer, a producer controlled by the controlled insurer or a producer that is a subsidiary of the controlled insurer.

**2. Required contract provisions.** A controlled insurer may not accept business from a controlling ~~broker~~ producer and a controlling ~~broker~~ producer

may not place business with a controlled insurer unless there is a written contract between the controlling ~~broker~~ producer and the controlled insurer specifying the responsibilities of each party. The contract must be approved by the board of directors of the insurer and must contain the following minimum provisions.

A. The controlled insurer may terminate the contract for cause upon written notice to the controlling ~~broker~~ producer. The controlled insurer shall suspend the authority of the controlling ~~broker~~ producer to write business during the pendency of any dispute regarding the cause for the termination.

B. The controlling ~~broker~~ producer shall render timely accounts to the controlled insurer detailing all material transactions including information necessary to support all commissions, charges and other fees received by or owed to the controlling ~~broker~~ producer.

C. The controlling ~~broker~~ producer shall remit all funds due under the terms of the contract to the controlled insurer on at least a monthly basis. The due date must be fixed so that premiums or installments of premiums collected are remitted no later than 90 days after the effective date of any policy placed with the controlled insurer under the contract.

D. All funds collected for the controlled insurer's account must be held in trust by the controlling ~~broker~~ producer in a fiduciary capacity, in one or more appropriately identified bank accounts in banks that are members of the Federal Reserve System, in accordance with applicable insurance laws. Funds of a controlling ~~broker~~ producer not licensed in this State must be maintained in compliance with the requirements of the controlling ~~broker's~~ producer's domiciliary jurisdiction.

E. The controlling ~~broker~~ producer shall maintain separately identifiable records of business written for the controlled insurer. The controlled insurer must have access and may copy all accounts and records related to its business in a form usable by the insurer. The records must be retained according to section 3408.

F. The contract may not be assigned in whole or in part by the controlling ~~broker~~ producer.

G. The controlled insurer shall provide the controlling ~~broker~~ producer with its underwriting standards, rules, procedures, rates and conditions, including manuals setting forth the rates to be charged and the conditions for the acceptance or rejection of risks. The controlling producer shall comply with those standards, rules, procedures, rates and conditions, which must be the same as those applicable to comparable business placed

with the controlled insurer by a producer other than the controlling ~~broker~~ producer.

H. The rates of the controlling ~~broker's~~ producer's commissions, charges and other fees may not be greater than those applicable to comparable business placed with the controlled insurer by producers other than controlling ~~brokers~~ producers. For purposes of this paragraph and paragraph G, examples of "comparable business" include the same lines of insurance, the same kinds of insurance, the same kinds of risks, similar policy limits and similar quality of business.

I. If the contract provides that the controlling ~~broker~~ producer, on insurance business placed with the insurer, must be compensated contingent upon the insurer's profits on that business, then that compensation may not be determined and paid until at least 5 years after the premiums on liability insurance are earned and at least one year after the premiums are earned on any other insurance. The commissions may not be paid until the adequacy of the controlled insurer's reserves on remaining claims are independently verified pursuant to subsection 3.

J. The controlled insurer shall place a limit on the controlling ~~broker's~~ producer's writings in relation to the controlled insurer's surplus and total writings. The insurer may establish a different limit for each line or subline of business. The controlled insurer shall notify the controlling ~~broker~~ producer when the applicable limit is approached and may not accept business from the controlling ~~broker~~ producer if the limit is reached. The controlling ~~broker~~ producer may not place business with the controlled insurer if notified by the controlled insurer that the limit has been reached.

K. The controlling ~~broker~~ producer may negotiate but may not bind reinsurance on behalf of the controlled insurer on business the controlling ~~broker~~ producer places with the controlled insurer, except that the controlling ~~broker~~ producer may bind facultative reinsurance contracts pursuant to obligatory facultative agreements. All such contracts with the controlled insurer must contain underwriting guidelines including, for reinsurance both assumed and ceded, a list of reinsurers with which the automatic agreements are in effect, the coverages and amounts or percentages that may be reinsured and schedules of the commissions allowed.

**3. Audit committee.** Every controlled insurer must have an audit committee of the board of directors composed of independent directors. The audit committee shall annually meet with management, the insurer's independent certified public accountants and an independent casualty actuary acceptable to the super-

intendent to review the adequacy of the insurer's loss reserves.

**4. Reporting requirements.** A controlled insurer shall make the following reports.

A. In addition to any other required loss reserve certification, by April 1st of each year, the controlled insurer shall file with the superintendent an opinion of an independent casualty actuary acceptable to the superintendent reporting loss ratios for each line of business written and attesting to the adequacy of loss reserves established for losses incurred and outstanding at the preceding year end, including incurred but not reported losses, on business placed by the controlled ~~broker~~ producer.

B. The controlled insurer shall report annually to the superintendent the amount of commissions paid to the controlling ~~broker~~ producer, the percentage that amount represents of the net premiums written and comparable amounts and percentage paid to noncontrolling producers for placement of the same kinds of insurance.

**Sec. E-10. 24-A MRSA §6405**, as corrected by RR 1991, c. 2, §94, is amended to read:

#### **§6405. Disclosure**

~~Prior to Before~~ the effective date of ~~the any~~ policy placed with a controlled insurer by a controlling ~~producer or a controlling producer's subproducer~~, the controlling ~~insurer~~ producer shall ~~cause the controlling broker to~~ deliver written notice to the prospective insured disclosing the relationship between the ~~broker~~ producer and the controlled insurer, except that if the business is placed through a subproducer who is not a controlling ~~broker~~ producer, the controlling ~~insurer~~ producer shall ~~cause the controlling broker to~~ retain and enforce a signed commitment from the subproducer that the subproducer is aware of the relationship between the insurer and the controlling ~~broker~~ producer and that the subproducer has notified or will notify the insured.

**Sec. E-11. 24-A MRSA §6406, sub-§1**, as enacted by PL 1991, c. 828, §33, is repealed and the following enacted in its place:

**1. Civil action by superintendent.** If the superintendent has good cause to believe that a controlled insurer or any policyholder of the controlled insurer has suffered any loss or damage resulting from a violation of this chapter, the superintendent may maintain a civil action or intervene in an action brought by or on behalf of the insurer or policyholder for recovery of compensatory damages or other appropriate relief for the benefit of the insurer or policyholder.

**Sec. E-12. 24-A MRSA §6406, sub-§2**, as enacted by PL 1991, c. 828, §33, is amended to read:

**2. Civil action by receiver.** If an order for liquidation or rehabilitation of ~~the a~~ controlled insurer is entered pursuant to chapter 57 and a receiver is appointed, and the ~~superintendent finds pursuant to sub-section 4~~ receiver has good cause to believe that the controlling ~~broker~~ producer or any other person has not complied with this chapter or any rule or order made under this chapter and that the insurer suffered any loss or damage because of that noncompliance, the receiver ~~appointed under that order~~ may maintain a civil action for recovery of damages or other appropriate sanctions for the benefit of the insurer.

**Sec. E-13. 24-A MRSA §6406, sub-§3**, as enacted by PL 1991, c. 828, §33, is amended to read:

**3. Other action.** Nothing contained in this section affects the right of the superintendent to impose any ~~other penalties provided for in this Title or other remedies authorized under section 12-A or other applicable law.~~

**Sec. E-14. 24-A MRSA §6407**, as enacted by PL 1991, c. 828, §33, is repealed.

**Sec. E-15. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 24-A, chapter 77, in the chapter headnote, the words "business transacted with broker-controlled property or casualty insurer" are amended to read "business transacted with producer-controlled property or casualty insurer" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

## **PART F**

**Sec. F-1. 24-A MRSA §6456, sub-§2**, as amended by PL 1997, c. 81, §8, is repealed and the following enacted in its place:

**2. Superintendent duties; mandatory control level event.** When a mandatory control level event occurs, the superintendent shall take those actions that are necessary to cause the insurer to be placed under regulatory control under chapter 57 or take alternative action as authorized under paragraphs A and B. If the superintendent takes those actions, the mandatory control level event is deemed sufficient grounds for the superintendent to take action under chapter 57, and the superintendent has the rights, powers and duties with respect to the insurer as are set forth in chapter 57. If the superintendent takes actions pursuant to an adjusted risk-based capital report, the insurer is entitled to those protections that are afforded to insurers under the provisions of chapter 57, subchapter 2 pertaining to summary proceedings.

A. The superintendent may forgo action for up to 90 days after the mandatory control level event if the superintendent finds there is a reasonable expectation that the mandatory control level event may be eliminated within the 90-day period.

B. In the case of a property and casualty insurer that is not authorized to write new business, the superintendent may allow the insurer to continue to run off its existing business under the superintendent's supervision if the superintendent determines that there will be sufficient funds to meet the insurer's obligations as they become due. This paragraph does not apply to health insurers.

**Sec. F-2. 24-A MRSA §6458, sub-§1**, as enacted by PL 1993, c. 634, Pt. A, §1, is amended to read:

**1. Confidentiality.** The following constitute information that might be damaging to the insurer if made available to its competitors and must be kept confidential by the superintendent:

A. Risk-based capital reports, with respect to any domestic insurer or foreign insurer, that are filed with the superintendent, to the extent that the information in the reports is not required to be set forth in a publicly available annual statement schedule; and

B. Risk-based capital plans, with respect to any domestic insurer or foreign insurer, that are filed with the superintendent, including the results or report of any examination or analysis of an insurer performed pursuant to this chapter and any corrective order issued by the superintendent pursuant to the examination or analysis.

The information listed in paragraph A or B may be shared on a confidential basis in accordance with section 216, subsection 5 but may not be made public or be subject to subpoena, other than by the superintendent and then only for the purpose of enforcement actions taken by the superintendent pursuant to this chapter or any other provision of the insurance laws of this State.

**Sec. F-3. 24-A MRSA §6458, sub-§3** is enacted to read:

**3. Prohibition on use in ratemaking.** Risk-based capital instructions, risk-based capital reports, adjusted risk-based capital reports, risk-based capital plans and revised risk-based capital plans may not be used by the superintendent for purposes of rate review, considered or used as evidence in any rate proceeding or used by the superintendent to calculate or derive any elements of an appropriate premium level or appropriate rate of return. This subsection does not prohibit the consideration of premium rates and projected or realized rates of return for purposes of company action or regulatory action taken under this chapter.

**Sec. F-4. 24-A MRSA §6460, sub-§2**, as enacted by PL 1993, c. 634, Pt. A, §1, is amended to read:

**2. Risk-based capital plan.** When a company action level event ~~or~~, regulatory action level event or

authorized control level event with respect to a foreign insurer occurs, as determined under laws governing risk-based capital applicable in the state of domicile of the insurer, or, if no such risk-based capital provision is in force in that state, under the provisions of this chapter, if the insurance superintendent of the state of domicile of the foreign insurer fails to require the foreign insurer to file a risk-based capital plan in the manner specified under the laws governing risk-based capital in that state, or, if no such risk-based capital provision is in force in that state, under this chapter, the superintendent may require the foreign insurer to file a risk-based capital plan with the superintendent. In this event, the failure of the foreign insurer to file a risk-based capital plan with the superintendent is grounds to order the insurer to desist from writing new insurance business in this State.

## PART G

**Sec. G-1. 24-A MRSA §6701, sub-§5**, as amended by PL 2009, c. 335, §§3 and 4, is further amended to read:

**5. Controlled unaffiliated business.** "Controlled unaffiliated business" means a ~~company~~ business entity that has a contractual relationship, such as a subcontractor or franchisee relationship, with the parent of a pure captive insurance company or with one or more of its affiliates, satisfying the following criteria:

A. ~~Is~~ The business entity is not in the corporate system of a parent and affiliated companies the pure captive insurance company's parent;

B. ~~Has an existing~~ The contractual relationship with a parent or affiliated company provides that all or a material part of the business entity's operations are dedicated to business activities undertaken or managed by the pure captive insurance company's parent or by one or more of its affiliates; and

D. ~~Has all its~~ Substantially all of the captive insurance company's coverage of the business entity is for risks arising out of the activities described in paragraph B, and those risks are managed by a pure the captive insurance company in accordance with this chapter.

**Sec. G-2. 24-A MRSA §6701, sub-§12**, as enacted by PL 1997, c. 435, §1, is amended to read:

**12. Pure nonprofit captive insurance company.** "Pure nonprofit captive insurance company" means a pure captive insurance company formed without capital stock as a nonprofit corporation, whose voting ~~or~~ membership interest is held by a parent organization formed under a nonprofit law ~~or by a nonprofit parent, its or controlled unaffiliated business affiliated companies but does not include those insurers otherwise qualifying for a certificate of authority as an insurer.~~

**Sec. G-3. 24-A MRSA §6702, sub-§3, ¶C,** as enacted by PL 1997, c. 435, §1, is amended to read:

C. ~~The A plan of operation satisfactory to the superintendent, with supporting information demonstrating the overall soundness of its plan of operation;~~

**Sec. G-4. 24-A MRSA §6706, sub-§1, ¶C,** as enacted by PL 2009, c. 335, §12, is amended to read:

C. Organized as a ~~manager-managed~~ limited liability company with a limited liability company agreement approved by the superintendent.

**Sec. G-5. 24-A MRSA §6706, sub-§2, ¶D,** as enacted by PL 2009, c. 335, §12, is amended to read:

D. Organized as a ~~manager-managed~~ limited liability company with a limited liability company agreement approved by the superintendent.

**Sec. G-6. 24-A MRSA §6706, sub-§3,** as amended by PL 2009, c. 335, §12, is further amended to read:

**3. Incorporators.** A captive insurance company, other than a limited liability company, may not have fewer than 3 incorporators or 3 organizers of whom at least one must be a resident of this State. If the captive insurance company is a limited liability company, at least one manager its certificate of formation must be executed by a resident of this State.

**Sec. G-7. 24-A MRSA §6706, sub-§6,** as amended by PL 2013, c. 588, Pt. A, §30, is further amended to read:

**6. Board of directors.** If a captive insurance company incorporated in this State is formed as a corporation, then at least one of the members of the board of directors of the company incorporated in this State must be a resident of this State. If the company is formed as a reciprocal insurer, then at least one of the members of the subscribers' advisory committee must be a resident of this State. If the company is organized as a limited liability company, then at least one ~~manager~~ member of its governing body must be a resident of this State.

**Sec. G-8. 24-A MRSA §6707,** as amended by PL 1997, c. 583, §4, is further amended to read:

### **§6707. Financial statements and other reports**

**1. Financial statement.** A captive insurance company shall submit an annual statement of financial condition ~~written according to generally accepted accounting principles and~~ audited by an independent certified public accountant to the superintendent on or before the last day of the 6th month following the end of the company's fiscal year.

A. The audited financial statement of an association captive insurance company or industrial insured captive insurance company must be prepared in conformity with statutory accounting principles.

B. The audited financial statement of a captive insurance company other than those set out in paragraph A must be prepared in conformity with either generally accepted accounting principles or statutory accounting principles, at the election of the company.

**2. Annual and quarterly statements.** An association captive insurance company or industrial insured captive insurance company shall file ~~an annual statement~~ annual and quarterly statements in accordance with statutory accounting ~~practices~~ principles, each of which must be a true statement of its financial condition, transactions and affairs ~~as of the immediately preceding December 31st, substantially similar to the statements required under sections 423 and 423-A for insurance companies certified under section 414,~~ in general form and context as approved by the National Association of Insurance Commissioners, or other format prescribed by the superintendent, verified by oaths of at least 2 of the insurer's principal officers.

**3. Reserves.** The statements required under subsections 1 and 2 must include, but are not limited to, actuarially appropriate reserves for:

- A. Known claims and associated expenses;
- B. Claims incurred but not reported and associated expenses;
- C. Unearned premiums; and
- D. Bad debts, reserves for which must be shown as liabilities.

An actuarial opinion regarding reserves for known claims and claims incurred but not reported, and expenses associated with those claims, must be included in the audited statements. The actuarial opinion must be given by a member of the American Academy of Actuaries or other qualified loss reserve specialist as defined in the annual statement instructions adopted by the National Association of Insurance Commissioners.

**4. Other reports.** The superintendent may prescribe the format and frequency of other reports, which may include, but are not limited to, summary loss reports, material transaction reports and quarterly interim financial statements.

**Sec. G-9. 24-A MRSA §6715,** as amended by PL 1997, c. 583, §5, is further amended to read:

### **§6715. Confidential information**

All information submitted to the superintendent pursuant to section 6702, subsection 3 and section

6724, subsection 3 is confidential and is not a public record within the meaning of Title 1, chapter 13, subchapter 1. Each report or statement filed with the superintendent pursuant to section 6707, except those filed by or with respect to industrial insured groups as defined in section 6701, subsection 8, is confidential and is not a public record within the meaning of Title 1, chapter 13, subchapter 1. The confidential nature of this information does not limit the ability of the superintendent, in the superintendent's discretion, to disclose such information to a public official in another state, as long as the public official agrees in writing to maintain the confidentiality of such information and the laws of the state in which the public official serves designate such information as confidential.

**Sec. G-10. 24-A MRSA §6724, sub-§2,** as enacted by PL 2009, c. 335, §23, is amended to read:

**2. Formation.** One or more sponsors may form a sponsored captive insurance company under this chapter. In addition to the general provisions of this chapter, the provisions of this section apply to sponsored captive insurance companies. A sponsored captive insurance company must be incorporated as a stock insurer with its capital divided into shares and held by the stockholder, as a nonprofit corporation with one or more members or as a ~~manager-managed~~ limited liability company with a limited liability company agreement approved by the superintendent.

**Sec. G-11. 24-A MRSA §6724, sub-§4, ¶B,** as enacted by PL 2009, c. 335, §23, is amended to read:

B. Each participant contract must specify one or more protected cells as the sole source of the participant's coverage and limit the covered losses of the participant to its pro rata share of an amount not to exceed the amount recoverable from the assets of the protected cell or cells identified in the contract and shall provide for pro rata distribution if the assets of a cell are insufficient to pay all liabilities to participants. If the sponsored captive insurance company enters into a contract involving more than one protected cell, the rights and obligations relating to each protected cell must be several rather than joint and the contract must make clear provisions for apportionment of the rights and obligations between protected cells;

**Sec. G-12. 24-A MRSA §6724, sub-§4, ¶B-1** is enacted to read:

B-1. A sponsored captive insurance company may only reinsure risks of its participants, and its liability to a ceding insurer must be limited to amounts recoverable from the assets of the protected cell or cells participating in the risks giving rise to the underlying losses in accordance with paragraph B. Any management fees or other unallocated expenses payable to a ceding insurer or

its affiliate or contractor must be charged pro rata to the protected cell or cells assuming the reinsurance and may not be a liability of the general account;

**Sec. G-13. 24-A MRSA §6724, sub-§4, ¶C,** as enacted by PL 2009, c. 335, §23, is amended to read:

C. Each protected cell must be accounted for separately on the books and records of the sponsored captive insurance company to reflect the financial condition and results of operations of each protected cell, net income or loss, dividends or other distributions to participants and such other factors as may be provided in the participant contract or required by the superintendent. All attributions of assets and liabilities between a protected cell and the general account must be in accordance with the plan of operation approved by the superintendent;

**Sec. G-14. 24-A MRSA §6724, sub-§4, ¶L,** as enacted by PL 2009, c. 335, §23, is amended to read:

L. A sponsored captive insurance company shall notify the superintendent in writing within 10 business days after the ~~special purpose reinsurance vehicle company~~ or any protected cell becomes impaired or insolvent.

See title page for effective date.

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## CHAPTER 170

### H.P. 1081 - L.D. 1570

#### An Act To Make Technical Changes to Maine's Tax Laws

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

#### PART A

**Sec. A-1. 36 MRSA §191, sub-§2,** as amended by PL 2015, c. 490, §§2 to 4 and c. 494, Pt. A, §§41 to 43, is further amended to read:

**2. Exemptions.** This section ~~shall~~ may not be construed to prohibit the following:

A. The delivery to a taxpayer or ~~his~~ the taxpayer's duly authorized representative of a certified copy of any return, report or other information filed by the taxpayer pursuant to this Title;

A-1. The disclosure to an authorized representative of the Maine Potato Board of information obtained by the assessor in the administration of chapter 710;

B. The publication of statistics so classified to prevent the identification of particular reports or returns and the items thereof;

C. The inspection by the Attorney General of information filed by any taxpayer who has requested review of any tax under this Title or against whom an action or proceeding for collection of tax has been instituted; or the production in court or to the board on behalf of the State Tax Assessor, or any other party to an action or proceeding under this Title, of so much and no more of the information as is pertinent to the action or proceeding;

D. The disclosure of information to duly authorized officers of the United States and of other states, districts and territories of the United States and of Canada and its provinces for use in administration and enforcement of this Title or of the tax laws of those jurisdictions. With respect to enforcement of the tax laws of other jurisdictions, the information may not be given to the duly authorized officer unless the officer's government permits a substantially similar disclosure of information to the taxing officials of this State and provides for the confidentiality of information in a manner substantially similar to the manner provided in this section;

E. The provision of information, pursuant to a contract for administrative services, to a person retained on an independent contract basis or the authorized employees of that person or the provision of information to state employees outside the Bureau of Revenue Services for the purpose of acquiring assistance in the administration of this Title and the return to employees of the Bureau of Revenue Services of the information provided and additional information generated as a product of the administrative services provided;

F. The transmission of information among employees of the Bureau of Revenue Services for the purposes of enforcing and administering the tax laws of this State and the delivery by a register of deeds to the State Tax Assessor or delivery by the State Tax Assessor to the appropriate municipal assessor or to the Maine Land Use Planning Commission or the Department of Health and Human Services of "declarations of value" in accordance with section 4641-D. The State Tax Assessor may require entities requesting information pursuant to this paragraph other than municipal assessors to provide resources sufficient to cover the cost of providing the forms;

G. The disclosure to the Attorney General of information related to a person who is the subject of a criminal investigation or prosecution, and the subsequent disclosure of that information by the Attorney General to a district attorney, an assis-

tant district attorney or a state, county or local law enforcement agency that is participating in the criminal investigation or prosecution of that person. A request from the Attorney General for information related to a person who is the subject of a criminal investigation or prosecution must be submitted to the State Tax Assessor in writing and must include:

- (1) The name and address of the person to whom the requested information relates;
- (2) The taxable period or periods to which the requested information relates;
- (3) The statutory authority under which the criminal investigation or prosecution is being conducted; and
- (4) The specific reason the requested information is, or may be, relevant to the criminal investigation or prosecution.

The Attorney General or a district attorney, assistant district attorney or law enforcement agency to which the Attorney General has disclosed tax information related to a person who is the subject of a criminal investigation or prosecution shall retain physical control of that information until the conclusion of the criminal investigation or prosecution for which the information was requested, after which the information must be returned immediately to the assessor;

H. The disclosure by the State Tax Assessor of the fact that a person is or is not registered under this Title or disclosure of both the fact that a registration under this Title has been revoked and the reasons for revocation;

I. The disclosure of information acquired pursuant to Part 2;

J. The disclosure to a state agency seeking setoff of a liquidated debt against a tax refund pursuant to section 5276-A of information necessary to effectuate the intent of that section;

K. The disclosure by a municipal assessor, or by the State Tax Assessor with regard to the unorganized territory, of information contained on a declaration of value filed pursuant to section 4641-D or the Internet publication by the State Tax Assessor of information, other than taxpayer identification numbers, obtained from declarations of value filed pursuant to section 4641-D, except that, upon request by an individual who is certified by the Secretary of State as a participant in the Address Confidentiality Program pursuant to Title 5, section 90-B, the municipal assessor shall redact the name of that individual on the declaration of value form prior to disclosure;

L. The listing of gasoline distributors possessing a certificate under section 2904 and the number of taxable gallons sold by each gasoline distributor in this State each month;

M. The disclosure by employees of the Bureau of Revenue Services, in connection with their official duties relating to any examination, collection activity, civil or criminal tax investigation or any other offense under this Title, of return information to the limited extent that disclosure is necessary in obtaining information, which is not otherwise available, with respect to the correct determination of tax, liability for tax or the amount to be collected or with respect to the enforcement of this Title;

N. The disclosure by the State Tax Assessor of computerized individual income tax data, without identification by taxpayer name, number or address, to a research agency of the Legislature;

O. The disclosure to an authorized representative of the Department of Health and Human Services of an individual's residence, employer, income and assets for child support enforcement purposes as required by the Social Security Act, 42 United States Code, Chapter 7, subchapter IV, Part D (1966), when a request containing the payor's social security number is made by the department;

P. The public disclosure by the State Tax Assessor of the name, last known business address and title of the professional license or certificate of any person whose license or certificate of authority to conduct a profession, trade or business in this State has not been renewed, reissued or otherwise extended by order of the assessor pursuant to section 175. This disclosure may be made only after no further administrative or judicial review of the order is available under section 151 or the Maine Administrative Procedure Act;

Q. The listing of persons possessing certificates under section 3204 and the number of taxable gallons sold by each person possessing a certificate in this State each month;

R. The disclosure to the Department of Health and Human Services of information relating to the administration and collection of the taxes imposed by chapter 358, chapter 373, chapter 375 and chapter 377;

~~S. The disclosure to an authorized representative of the Department of Health and Human Services of the names and social security numbers of applicants for the Maine Residents Property Tax Relief Program for the purpose of identifying those who are not eligible for that program pursuant to section 6207, subsection 3. The Department of Health and Human Services may not disclose names or social security numbers to any person,~~

~~agency or organization, other than the Bureau of Revenue Services, nor may those names and social security numbers be used for any purpose other than the purpose stated in this paragraph;~~

T. The disclosure to an authorized representative of the Department of Health and Human Services of information in the possession of the bureau identifying the location of an interest-bearing account in the name and social security number of a delinquent payor of child support as requested by the Department of Health and Human Services;

U. The disclosure by employees of the Bureau of Revenue Services to designated representatives of the Secretary of State of information required by the Secretary of State for the administration of the special fuel tax imposed by chapter 459;

V. The disclosure by employees of the Bureau of Revenue Services, to designated representatives of the Department of Labor, of all information required by the State Tax Assessor and the Commissioner of Labor for the administration of the taxes imposed by Part 8 and by Title 26, chapter 13 and the Competitive Skills Scholarship Fund contribution imposed by Title 26, section 1166 and of all information required by the Director of the Bureau of Labor Standards within the Department of Labor for the enforcement of Title 26, section 872;

W. The disclosure by the State Tax Assessor to the State Auditor when necessary to the performance of the State Auditor's official duties;

Y. The disclosure by the State Tax Assessor, upon request in writing of any individual against whom an assessment has been made pursuant to section 177, subsection 1, of the following information:

- (1) Information regarding the underlying tax liability to the extent necessary to apprise the individual of the basis of the assessment;
- (2) The name of any other individual against whom an assessment has been made for the same underlying tax debt; and
- (3) The general nature of any steps taken by the assessor to collect the underlying tax debt from any other individuals and the amount collected;

Z. The disclosure to the Treasurer of State when necessary for the performance of the Treasurer of State's official duties as administrator under Title 33, chapter 41 of the following information:

- (1) The current mailing address for a taxpayer for purposes of returning unclaimed or abandoned property to the rightful owner or heir; and

(2) The names and mailing addresses of all Maine corporate income tax filers in an electronic medium prescribed by the State Tax Assessor;

AA. The disclosure by employees of the bureau to designated representatives of the Finance Authority of Maine necessary for the administration of section 6656, subsection 3 and section 6758, subsection 4 and of information required to ensure that recipients of certain benefits under Title 20-A, chapter 417-E are eligible to receive such benefits;

BB. The disclosure to an authorized representative of the Department of Health and Human Services, Office of Child Care and Head Start of taxpayer information directly relating to the certification of investments eligible for or the eligibility of a taxpayer for the quality child care investment credit provided by section 5219-Q;

CC. The disclosure to an authorized representative of the Department of Professional and Financial Regulation of information necessary for the administration of Title 10, chapter 222;

DD. The delivery of a certified copy of any return, report or other information provided or filed pursuant to this Title by a partnership, corporation, trust or estate or any report of any examination of a return filed by a partnership, corporation, trust or estate to any person:

- (1) Who signed the return;
- (2) Who is the personal representative or executor of the estate filing the return;
- (3) Who was a member of the partnership filing the return during any part of the period covered by the return;
- (4) Who is a trustee of the trust filing the return;
- (5) Who was a shareholder during any part of the period covered by the return filed by an S corporation;
- (6) Who is an officer, or a bona fide shareholder of record owning 1% or more of the outstanding stock, of the corporation filing the return;
- (7) Who is the person authorized to act for the corporation if the corporation has been dissolved; or
- (8) Who is the duly authorized representative of any of the persons described in subparagraphs (1) to (7).

The exception under this paragraph does not include the disclosure of confidential information of a particular partner, shareholder, beneficiary or

trustee or other person receiving income from one of the entities described in subparagraphs (1) to (8) unless otherwise authorized;

EE. The disclosure by the State Tax Assessor of the fact that a person has or has not been issued a certificate of exemption pursuant to section 1760, 2013 or 2557, a provisional resale certificate pursuant to section 1754-B, subsection 2-B or a resale certificate pursuant to section 1754-B, subsection 2-C;

FF. The disclosure to the Department of the Secretary of State, Bureau of Motor Vehicles of whether the person seeking registration of a vehicle has paid the tax imposed by Part 3 with respect to that vehicle;

GG. The disclosure to the Department of Inland Fisheries and Wildlife, Division of Licensing and Registration of whether the person seeking registration of a snowmobile, all-terrain vehicle or watercraft has paid the tax imposed by Part 3 with respect to that snowmobile, all-terrain vehicle or watercraft;

II. The disclosure to an authorized representative of the Maine Milk Commission of information on the quantity of packaged milk handled in the State and subject to the milk handling fee established in section 4902 and other information obtained by the assessor in the administration of chapter 721;

JJ. The disclosure to the State Purchasing Agent of a person's sales tax standing as necessary to enforce Title 5, section 1825-B, subsection 14;

KK. The disclosure of information necessary to administer the setoff of liquidated tax debts pursuant to section 185, ~~subsection 3~~;

LL. The disclosure to any state agency of information relating to the administration and collection of any debt transferred to the bureau for collection pursuant to section 112-A;

MM. The disclosure to an authorized representative of the Department of Economic and Community Development of information required for the administration of the visual media production credit under section 5219-Y, the employment tax increment financing program under chapter 917, the visual media production reimbursement program under chapter 919-A or the Pine Tree Development Zone program under Title 30-A, chapter 206, subchapter 4;

NN. The disclosure to an authorized representative of the Wild Blueberry Commission of Maine of information required for or submitted to the assessor in connection with the administration of the tax imposed under chapter 701;

OO. The disclosure to duly authorized officers of the Federal Government and of other state governments of information necessary to administer a set-off agreement pursuant to section 112, subsection 13. The information may not be disclosed unless the officer's government permits a substantially similar disclosure of information to the taxing officials of this State and protects the confidentiality of the information in a manner substantially similar to that provided by this section;

PP. The disclosure to the Department of Agriculture, Conservation and Forestry of information contained on the commercial forestry excise tax return filed pursuant to section 2726, such as the landowner name, address and acreage, to facilitate the administration of chapter 367;

QQ. The disclosure of registration, reporting and payment information to the Department of Environmental Protection necessary for the administration of Title 38, chapter 33;

RR. The disclosure to the Finance Authority of Maine of the cumulative value of eligible premiums submitted for reimbursement pursuant to Title 10, section 1020-C;

SS. The disclosure of information to the Finance Authority of Maine necessary for the administration of the new markets capital investment credit in sections 2533 and 5219-HH and to the Commissioner of Administrative and Financial Services as necessary for the execution of the memorandum of agreement pursuant to section 5219-HH, subsection 3;

TT. The disclosure to tax officials of other states, and to clearinghouses and other administrative entities acting on behalf of participating states, of information necessary for the administration of a multistate agreement entered into pursuant to section 2532;

UU. The production in court on behalf of the assessor or any other party to an action or proceeding under this Title, or the production pursuant to a discovery request under the Maine Rules of Civil Procedure or a request under the freedom of access laws, of any reconsideration decision or advisory ruling issued on or after July 1, 2012, in redacted format so as not to reveal information from which the taxpayer may be identified, except that federal returns and federal return information provided to the State by the Internal Revenue Service may not be disclosed except as permitted by federal law. A person requesting the production of any such document shall pay, at the time the request is made, all direct and indirect costs associated with the redacting of information from which the taxpayer or other interested party may

be identified, plus an additional fee of \$100 per request;

VV. The disclosure by the assessor to the taxpayer advocate under section 151-C of information related to a petition for reconsideration filed by a taxpayer pursuant to section 151. The taxpayer advocate is prohibited from disclosing information obtained pursuant to this paragraph other than to the particular taxpayer to whom the information pertains;

WW. The disclosure of information to the Department of Inland Fisheries and Wildlife necessary for the administration of the credit for Maine fishery infrastructure investment under section 5216-D;

XX. The disclosure of information by the assessor to the board, except that such disclosure is limited to information that is pertinent to an appeal or other action or proceeding before the board;

YY. The inspection and disclosure of information by the board to the extent necessary to conduct appeals procedures pursuant to this Title and issue a decision on an appeal to the parties. The board may make available to the public redacted decisions that do not disclose the identity of a taxpayer or any information made confidential by state or federal statute;

ZZ. The disclosure by the State Tax Assessor to a qualified Pine Tree Development Zone business that has filed a claim for reimbursement under section 2016 of information related to any insufficiency of the claim, including records of a contractor or subcontractor that assigned the claim for reimbursement to the qualified Pine Tree Development Zone business and records of the vendors of the contractor or subcontractor;

ZZ. The disclosure by the State Tax Assessor to a qualified Pine Tree Development Zone business that has filed a claim for reimbursement under section 2016 of information related to any insufficiency of the claim, including records of a contractor or subcontractor that assigned the claim for reimbursement to the qualified Pine Tree Development Zone business and records of the vendors of the contractor or subcontractor; and

AAA. The disclosure of information by the State Tax Assessor or the Associate Commissioner for Tax Policy to the Office of Program Evaluation and Government Accountability under Title 3, section 991 for the review and evaluation of tax expenditures pursuant to Title 3, chapter 37; and

AAA. The disclosure of information by the State Tax Assessor or the Associate Commissioner for Tax Policy to the Office of Program Evaluation

and Government Accountability under Title 3, section 991 for the review and evaluation of tax expenditures pursuant to Title 3, chapter 37.

BBB. The disclosure to an authorized representative of the Department of Professional and Financial Regulation, Bureau of Insurance of information necessary to determine whether a long-term disability income protection plan or short-term disability income protection plan as described in section 5219-NN, subsection 1 qualifies for the disability income protection plans in the workplace credit provided by section 5219-NN.

## PART B

**Sec. B-1. 36 MRSA §305, sub-§1**, as amended by PL 2003, c. 426, §2, is further amended to read:

**1. Just value.** Certify to the Secretary of State before the first day of February each year the equalized just value of all real and personal property in each municipality and unorganized place that is subject to taxation under the laws of this State, ~~except that percentage of captured assessed value located within a tax increment financing district that is used to finance that district's development plan, the captured assessed value located within a municipal affordable housing development district and the valuation amount by which the current assessed value of commercial and industrial property within a municipal incentive development zone, as determined in Title 30-A, section 5284, exceeds the assessed value of commercial and industrial property within the zone as of the date the zone is approved by the Commissioner of Economic and Community Development, known in this subsection as the "sheltered value," up to the amount invested by a municipality in infrastructure improvements under an infrastructure improvement plan adopted pursuant to Title 30-A, section 5283. The equalized just value must be uniformly assessed in each municipality and unorganized place and be based on 100% of the current market value. It must separately show for each municipality and unorganized place the actual or estimated value of all real estate that is exempt from property taxation by law or is the captured value within a tax increment financing district that is used to finance that district's development plan, as reported on the municipal valuation return filed pursuant to section 383, or that is the sheltered value of a municipal incentive development zone. The valuation as filed remains in effect until the next valuation is filed and is the basis for the computation and apportionment of the state and county taxes; The equalized just value excludes the following:~~

A. That percentage of captured assessed value located within a tax increment financing district that is used to finance that district's development plan;

B. The captured assessed value located within a municipal affordable housing development district; and

C. The amount by which the current assessed value of commercial and industrial property within a municipal incentive development zone exceeds the assessed value of that property as of the date the development zone is approved by the Commissioner of Economic and Community Development. This excess value as determined under Title 30-A, chapter 208-A and referred to in this subsection as the "sheltered value" is limited to the amount invested by a municipality in infrastructure improvements pursuant to the infrastructure improvement plan adopted under Title 30-A, chapter 208-A.

The equalized just value must be uniformly assessed in each municipality and unorganized place and be based on 100% of the current market value. The bureau's valuation documents must separately show for each municipality and unorganized place the actual or estimated value of all real estate that is exempt from property taxation by law or is the captured value within a tax increment financing district that is used to finance that district's development plan, as reported on the municipal valuation return filed pursuant to section 383, or that is the sheltered value of a municipal incentive development zone;

**Sec. B-2. 36 MRSA §327, sub-§3**, as amended by PL 2001, c. 583, §10, is further amended to read:

**3. Employment of assessor.** Any municipal assessing unit may employ a part-time, non-certified assessor or contract with a firm or organization that provides assessing services; when any municipal assessing unit or primary assessing area employs a full-time, professional assessor, this assessor must be certified by the ~~Bureau of Revenue Services~~ bureau as a professionally trained assessor. The bureau shall publish, for the information of the municipalities, a ~~listing of certified assessors and~~ list of assessing firms or organizations. The bureau shall provide to a municipality, on request by the municipality, a list of certified assessors.

**Sec. B-3. 36 MRSA §576, first and 2nd ¶¶**, as amended by PL 1997, c. 504, §6, are further amended to read:

The State Tax Assessor shall determine the average annual net wood production rate for each forest type described in section 573, subsections 5 ~~to~~, 6 and 7, in each county or region to be used in determining valuations applicable to forest land under this subchapter, on the basis of the surveys of average annual growth rates applicable in the State made from time to time by the United States Forest Service or by the Maine Forestry Bureau. The growth rate surveys must

be reduced by the percentage discount factor prescribed by section 576-B to reflect the growth that can be extracted on a sustained basis. The rates when determined remain in effect without change for each county through the property tax year ending March 31, 1975. In 1974 and in every 10th year thereafter, the State Tax Assessor shall review and set rates for the following 10-year period in the same manner.

The State Tax Assessor shall determine the average stumpage value for each forest type described in section 573, subsections 5 ~~to~~ 6 and 7, applicable in each county, or in alternative forest economic regions as the assessor designates, after passage of this subchapter and in each year thereafter, taking into consideration the prices upon sales of sound standing timber of that forest type in that area during the previous calendar year, and any other appropriate considerations.

**Sec. B-4. 36 MRSA §578, sub-§1,** as amended by PL 2011, c. 404, §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~~ October 15th of the year following the submission of the annual return. The municipal reimbursement appropriation is calculated on the basis of 90% of the per acre tax revenue lost as a result of this subchapter. For property tax years based on the status of property on April 1, 2008 and April 1, 2009, municipal reimbursement under this section is further limited to the amount appropriated by the Legislature and distributed on a pro rata basis by the State Tax Assessor for all timely filed claims. For purposes of this section, "classified forest lands" means forest lands classified pursuant to this subchapter as well as all areas identified as forested land within farmland parcels that are transferred from tree growth classification pursuant to section 1112 on or after October 1, 2011. For the purposes of this section, the tax lost is the tax that would have been assessed, but for this

subchapter, on the classified forest lands if they were assessed according to the undeveloped acreage valuations used in the state valuation then in effect, or according to the current local valuation on undeveloped acreage, whichever is less, minus the tax that was actually assessed on the same lands in accordance with this subchapter, and adjusted for the aggregate municipal savings in required educational costs attributable to reduced state valuation. A municipality that fails to achieve the minimum assessment ratio established in section 327 loses 10% of the reimbursement provided by this section for each one percentage point the minimum assessment ratio falls below the ratio established in section 327.

The State Tax Assessor shall adopt rules necessary to implement the provisions of this section. Rules adopted pursuant to this subsection are routine technical rules for the purposes of Title 5, chapter 375, subchapter 2-A.

C. The State Tax Assessor shall distribute reimbursement under this section to each municipality in proportion to the product of the reduced tree growth valuation of the municipality multiplied by the property tax burden of the municipality. For purposes of this paragraph, unless the context otherwise indicates, the following terms have the following meanings.

(1) "Property tax burden" means the total real and personal property taxes assessed in the most recently completed municipal fiscal year, except the taxes assessed on captured value within a tax increment financing district, divided by the latest state valuation certified to the Secretary of State.

(2) "Undeveloped land" means rear acreage and unimproved nonwaterfront acreage that is not:

- (a) Classified under the laws governing current use valuation set forth in chapter 105, subchapter 2-A, 10 or 10-A;
- (b) A base lot; or
- (c) Waste land.

(3) "Average value of undeveloped land" means the per acre undeveloped land valuations used in the state valuation then in effect, or according to the current local valuation on undeveloped land as determined for state valuation purposes, whichever is less.

(4) "Reduced tree growth valuation" means the difference between the average value of undeveloped land and the average value of tree growth land times the total number of acres classified as forest land under this subchapter plus the total number of acres of forest land that is transferred from tree growth

classification to farmland classification pursuant to section 1112 on or after October 1, 2011.

**Sec. B-5. 36 MRSA §603, sub-§1-A**, as enacted by PL 1987, c. 303, is amended to read:

**1-A. Cargo trailers.** A cargo trailer ~~shall~~ must be taxed in the place ~~where it is primarily located~~ of its primary location on April 1st, even though the cargo trailer may not be present in that place on April 1st.

For purposes of this subsection, "primary location" means the place where the cargo trailer is usually based and where it regularly returns for repairs, supplies and activities related to its use.

**Sec. B-6. 36 MRSA §653, sub-§1, ¶E**, as repealed and replaced by PL 1995, c. 462, Pt. A, §68, is amended to read:

E. The word "veteran" as used in this subsection means any person, male or female, who was ~~in active service on active duty~~ in the Armed Forces of the United States and who, if discharged, retired or separated from the Armed Forces, was discharged, retired or separated under other than dishonorable conditions.

**Sec. B-7. 36 MRSA §691, sub-§1, ¶A**, as amended by PL 2009, c. 571, Pt. II, §1 and affected by §5, is further amended to read:

A. "Eligible business equipment" means qualified property that, in the absence of this subchapter, would first be subject to assessment under this Part on or after April 1, 2008. "Eligible business equipment" includes, without limitation, repair parts, replacement parts, replacement equipment, additions, accessions and accessories to other qualified business property that first became subject to assessment under this Part before April 1, 2008 if the part, addition, equipment, accession or accessory would, in the absence of this subchapter, first be subject to assessment under this Part on or after April 1, 2008. "Eligible business equipment" also includes inventory parts. "Eligible business equipment" does not include property eligible for exemption under section 652.

"Eligible business equipment" does not include:

- (1) Office furniture, including, without limitation, tables, chairs, desks, bookcases, filing cabinets and modular office partitions;
- (2) Lamps and lighting fixtures used primarily for the purpose of providing general purpose office or worker lighting;
- (3) Property owned or used by an excluded person;
- (4) Telecommunications personal property subject to the tax imposed by section 457;

(5) Gambling machines or devices, including any device, machine, paraphernalia or equipment that is used or usable in the playing phases of any gambling activity as that term is defined in Title 8, section 1001, subsection 15, whether that activity consists of gambling between persons or gambling by a person involving the playing of a machine. "Gambling machines or devices" includes, without limitation:

- (a) Associated equipment as defined in Title 8, section 1001, subsection 2;
- (b) Computer equipment used directly and primarily in the operation of a slot machine as defined in Title 8, section 1001, subsection 39;
- (c) An electronic video machine as defined in Title 17, section 1831, subsection 4;
- (d) Equipment used in the playing phases of lottery schemes; and
- (e) Repair and replacement parts of a gambling machine or device;

(6) Property located at a retail sales facility and used primarily in a retail sales activity unless the property is owned by a business that operates a retail sales facility in the State exceeding 100,000 square feet of interior customer selling space that is used primarily for retail sales and whose Maine-based operations derive less than 30% of their total annual revenue on a calendar year basis from sales that are made at a retail sales facility located in the State. For purposes of this subparagraph, the following terms have the following meanings:

- (a) "Primarily" means more than 50% of the time;
- (b) "Retail sales activity" means an activity associated with the selection and purchase of goods or services or the rental of tangible personal property. "Retail sales activity" does not include production as defined in section 1752, subsection 9-B; and
- (c) "Retail sales facility" means a structure used to serve customers who are physically present at the facility for the purpose of selecting and purchasing goods or services at retail or for renting tangible personal property. "Retail sales facility" does not include a separate structure that is used as a warehouse or call center facility;

(7) Property that is not entitled to an exemption by reason of the additional limitations imposed by subsection 2; or

(8) Personal property that would otherwise be entitled to exemption under this subchapter used primarily to support a telecommunications antenna used by a telecommunications business subject to the tax imposed by section 457.

**Sec. B-8. 36 MRSA §693, sub-§1**, as amended by PL 2013, c. 544, §1 and affected by §7, is further amended to read:

**1. Reporting.** On or before ~~May~~ April 1st of each year, a taxpayer claiming an exemption under this ~~section~~ subchapter shall file a report with the assessor of the taxing jurisdiction in which the property would otherwise be subject to taxation on April 1st of that year. The report must identify the property for which exemption is claimed that would otherwise be subject to taxation on April 1st of that year and must be made on a form prescribed by the State Tax Assessor or substitute form approved by the State Tax Assessor. The State Tax Assessor shall furnish copies of the form to each municipality in the State and the form must be made available to taxpayers prior to April 1st annually. The assessor of the taxing jurisdiction may require the taxpayer to sign the form and make oath to its truth. If the report is not filed by April 1st, the filing deadline is automatically extended to May 1st without the need for the taxpayer to request or the assessor to grant that extension. Upon written request, before the commitment of taxes, the assessor may ~~at any time~~ grant further extensions of time to file the report. If a taxpayer fails to file the report in a timely manner, including any extensions of time, the taxpayer may not obtain an exemption for that property under this subchapter for that tax year. The assessor of the taxing jurisdiction may require in writing that a taxpayer answer in writing all reasonable inquiries as to the property for which exemption is requested. A taxpayer has 30 days from receipt of such an inquiry to respond. Upon written request, a taxpayer is entitled to a 30-day extension to respond to the inquiry and the assessor may at any time grant additional extensions upon written request. The answer to any such inquiry is not binding on the assessor.

All notices and requests provided pursuant to this subsection must be made by personal delivery or certified mail and must conspicuously state the consequences of the taxpayer's failure to respond to the notice or request in a timely manner.

If an exemption has already been accepted and the State Tax Assessor subsequently determines that the property is not entitled to exemption, a supplemental assessment must be made within 3 years of the original assessment date with respect to the property in compliance with section 713, without regard to the

limitations contained in that section regarding the justification necessary for a supplemental assessment.

**Sec. B-9. 36 MRSA §1487, sub-§2**, as repealed and replaced by PL 2009, c. 434, §21, is amended to read:

**2. State Tax Assessor.** The State Tax Assessor shall appoint agents to collect the excise tax in the unorganized territory. Agents, including ~~municipalities designated as agents~~ municipal tax collectors or their designees, are allowed a fee of \$6 for each tax receipt issued. The State Tax Assessor may authorize the offset of credit card fees incurred in the collection of the excise taxes against the receipts from those collections. Agents shall deposit the remainder on or before the 20th day of each month following receipt with the Treasurer of State. The Treasurer of State shall make quarterly payments to each county in an amount that is equal to the receipts for that period from each county. Those payments must be made at the same time as payments under section 1606. County receipts under this section must be deposited in the county's unorganized territory fund.

**Sec. B-10. 36 MRSA §6271, sub-§3**, as enacted by PL 2009, c. 489, §5, is amended to read:

**3. Effect of deferral.** If property taxes are deferred under the program, the lien established on the eligible homestead under section 552 continues for the purpose of protecting the municipal interest in the tax-deferred property. Interest on the deferred taxes accrues at the rate of ~~0.5%~~ 0.5 percentage points above the otherwise applicable rate for delinquent taxes. In order to preserve the right to enforce the lien, the municipality shall record in the county registry of deeds a list of the tax-deferred properties of that municipality. The list must contain a description of each tax-deferred property as listed in the municipal valuation together with the name of the taxpayer listed on the valuation. The list must be updated annually to reflect the addition or deletion of tax-deferred properties, the amount of deferred taxes accrued for each property and payments received.

The recording of the tax-deferred properties under this subsection is notice that the municipality claims a lien against those properties in the amount of the deferred taxes plus interest together with any fees paid to the county registry of deeds in connection with the recording. For a property deleted from the list, the recording serves as notice of release or satisfaction of the lien, even though the amount of taxes, interest or fees is not listed.

**Sec. B-11. 36 MRSA §6656, sub-§1-A, ¶B**, as enacted by PL 2015, c. 239, §2, is amended to read:

B. The municipal tax collector certifies to the State Tax Assessor or, in the case of the unorganized territory, the State Tax Assessor determines that the taxpayer is delinquent in the payment of

personal property taxes. Certification by the municipal tax collector must be made on a form prescribed by the State Tax Assessor and list the tax and interest due and the year for which it is due. The certification by the municipal tax collector or determination by the State Tax Assessor must be made from July 1st to July 15th ~~of~~ in the same year as the application for which the reimbursement is to be suspended.

### PART C

**Sec. C-1. 36 MRSA §1752, sub-§3-B, ¶B,** as enacted by PL 2015, c. 267, Pt. OOOO, §2 and affected by §7, is amended to read:

B. Medicines, tonics, vitamins and preparations ~~in liquid, powdered, granular, tablet, capsule, lozenge or pill form,~~ sold as dietary supplements or adjuncts, except when sold on the prescription of a physician;

**Sec. C-2. 36 MRSA §1752, sub-§8-A, ¶C,** as enacted by PL 2001, c. 439, Pt. TTTT, §1 and affected by §3, is amended to read:

C. All food and drinks sold ~~from an establishment whose~~ by a retailer at a particular retail location when the sales of food and drinks at that location that are prepared by the retailer account for more than 75% of the ~~establishment's~~ gross receipts reported with respect to that location by the retailer.

**Sec. C-3. 36 MRSA §1752, sub-§8-D,** as enacted by PL 2015, c. 495, §1 and affected by §4, is repealed.

**Sec. C-4. 36 MRSA §1760, sub-§5-A,** as amended by PL 2015, c. 495, §3 and affected by §4, is repealed and the following enacted in its place:

#### 5-A. Prosthetic or orthotic devices. Sales of:

A. Prosthetic or orthotic devices sold by means of an order issued by a health care practitioner as defined in Title 24, section 2502, subsection 1-A who is licensed under Title 32; and

B. Crutches and wheelchairs for the use of sick, injured or disabled persons and not for rental.

**Sec. C-5. 36 MRSA §1760, sub-§20,** as amended by PL 2007, c. 438, §37, is repealed and the following enacted in its place:

**20. Continuous residence; refunds and credits.**  
Rental charged to the following:

A. An individual who resides continuously for 28 days or more at any one hotel, rooming house, tourist camp or trailer camp, if the individual does not maintain a primary residence at some other location or is residing away from the individual's primary residence in connection with employment or education; and

B. A person that rents living quarters for 28 or more consecutive days, when the living quarters are used by the person's employees in connection with their employment.

Any tax paid by an individual or person specified in paragraph A or B during the initial 28-day period must be refunded by the retailer. If the tax has been reported and paid to the State by the retailer, it may be taken as a credit by the retailer on the return filed by the retailer covering the month in which the refund was made.

**Sec. C-6. 36 MRSA §1761,** as amended by PL 1979, c. 541, Pt. A, §221, is further amended to read:

#### **§1761. Advertising of payment by retailer**

It ~~shall be~~ is unlawful for any retailer to advertise or hold out or state to the public or to any consumer, directly or indirectly, that the tax or any part ~~thereof~~ of the tax imposed by chapters 211 to 225 will be assumed or absorbed by the retailer, or that it will not be added to or included in the ~~selling~~ sale price of the property or service sold, or if added or included that it or any part ~~thereof~~ of the tax will be refunded. Any person violating any part of this section ~~shall be guilty of~~ commits a Class E crime.

**Sec. C-7. 36 MRSA §1814, sub-§2,** as amended by PL 1979, c. 378, §9, is further amended to read:

**2. Tax liability subject to assessment, collection and enforcement.** The tax liability specified in subsection 1 ~~shall be~~ is subject to assessment, collection and enforcement by the ~~State Tax Assessor~~ asses-  
sor in the manner provided in chapters 7 and 211 to 225.

**Sec. C-8. 36 MRSA §2551, sub-§6,** as amended by PL 2005, c. 218, §32, is further amended to read:

**6. Mobile telecommunications services.** "Mobile telecommunications services" means commercial mobile radio service as defined in 47 Code of Federal Regulations, Section 20.3 as in effect ~~on June 1, 1999~~ October 1, 2015. For purposes of sourcing, "mobile telecommunications services" does not include air-ground radiotelephone service as defined in 47 Code of Federal Regulations, Section 22.99 as in effect ~~on June 1, 1999~~ October 1, 2015.

**Sec. C-9. Retroactivity.** That section of this Part that amends the Maine Revised Statutes, Title 36, section 1760, subsection 5-A applies retroactively to sales occurring on or after October 1, 2016.

### PART D

**Sec. D-1. 36 MRSA §5122, sub-§1, ¶II,** as amended by PL 2015, c. 388, Pt. A, §3 and c. 490, §5, is further amended to read:

II. For taxable years beginning in 2014:

(1) An amount equal to the net increase in depreciation attributable to the depreciation deduction claimed by the taxpayer under the Code, Section 168(k) with respect to property placed in service in the State during the taxable year for which a credit is claimed under section 5219-MM for that taxable year; and

(2) An amount equal to the net increase in depreciation attributable to the depreciation deduction claimed by the taxpayer under the Code, Section 168(k) with respect to property for which a credit is not claimed under section 5219-MM; and

**Sec. D-2. 36 MRSA §5122, sub-§1, ¶JJ,** as amended by PL 2015, c. 490, §6 and c. 494, Pt. B, §5, is repealed.

**Sec. D-3. 36 MRSA §5122, sub-§2, ¶X,** as amended by PL 2015, c. 300, Pt. A, §39, is further amended to read:

X. 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 N; section 5200-A, subsection 1, paragraph T; section 5200-A, subsection 1, paragraph Y, subparagraph (2); section 5200-A, subsection 1, paragraph AA, subparagraph (2); or section 5200-A, subsection 1, paragraph BB; or section 5200-A, subsection 1, paragraph CC, subparagraph (2) by a corporation of which the taxpayer is a shareholder and by which, absent an S corporation election, the corporation could have reduced its federal taxable income for the taxable year pursuant to section 5200-A, subsection 2, paragraph M, R, V, Y or Z or AA;

**Sec. D-4. 36 MRSA §5122, sub-§2, ¶BB,** as amended by PL 2015, c. 382, §3, is repealed.

**Sec. D-5. 36 MRSA §5124-B, first ¶,** as enacted by PL 2015, c. 267, Pt. DD, §14, is amended to read:

For tax years beginning on or after January 1, 2016, the standard deduction of a resident individual is equal to the sum of the basic standard deduction and any additional standard deduction, subject to the phase-out under subsection 3.

**Sec. D-6. 36 MRSA §5124-B, sub-§3** is enacted to read:

**3. Phase-out.** The total standard deduction of the taxpayer determined in accordance with subsections 1 and 2 must be reduced by an amount equal to the total standard deduction multiplied by the following fraction:

A. For single individuals and married persons filing separate returns, the numerator is the tax-

payer's Maine adjusted gross income less \$70,000, except that the numerator may not be less than zero, and the denominator is \$75,000. In no case may the fraction contained in this paragraph produce a result that is more than one. The \$70,000 amount used to calculate the numerator in this paragraph must be adjusted for inflation in accordance with section 5403, subsection 4;

B. For individuals filing as heads of households, the numerator is the taxpayer's Maine adjusted gross income less \$105,000, except that the numerator may not be less than zero, and the denominator is \$112,500. In no case may the fraction contained in this paragraph produce a result that is more than one. The \$105,000 amount used to calculate the numerator in this paragraph must be adjusted for inflation in accordance with section 5403, subsection 4; or

C. For individuals filing married joint returns or surviving spouses, the numerator is the taxpayer's Maine adjusted gross income less \$140,000, except that the numerator may not be less than zero, and the denominator is \$150,000. In no case may the fraction contained in this paragraph produce a result that is more than one. The \$140,000 amount used to calculate the numerator in this paragraph must be adjusted for inflation in accordance with section 5403, subsection 4.

**Sec. D-7. 36 MRSA §5125, sub-§6** is enacted to read:

**6. Phase-out.** For tax years beginning on or after January 1, 2016, the total itemized deductions of the taxpayer determined in accordance with subsections 1 through 4 must be reduced by an amount equal to the total itemized deductions multiplied by the following fraction:

A. For single individuals and married persons filing separate returns, the numerator is the taxpayer's Maine adjusted gross income less \$70,000, except that the numerator may not be less than zero, and the denominator is \$75,000. In no case may the fraction contained in this paragraph produce a result that is more than one. The \$70,000 amount used to calculate the numerator in this paragraph must be adjusted for inflation in accordance with section 5403, subsection 4;

B. For individuals filing as heads of households, the numerator is the taxpayer's Maine adjusted gross income less \$105,000, except that the numerator may not be less than zero, and the denominator is \$112,500. In no case may the fraction contained in this paragraph produce a result that is more than one. The \$105,000 amount used to calculate the numerator in this paragraph must be adjusted for inflation in accordance with section 5403, subsection 4; or

C. For individuals filing married joint returns or surviving spouses, the numerator is the taxpayer's Maine adjusted gross income less \$140,000, except that the numerator may not be less than zero, and the denominator is \$150,000. In no case may the fraction contained in this paragraph produce a result that is more than one. The \$140,000 amount used to calculate the numerator in this paragraph must be adjusted for inflation in accordance with section 5403, subsection 4.

**Sec. D-8. 36 MRSA §5217-D, sub-§3**, as amended by PL 2015, c. 328, §7, is further amended to read:

**3. Calculation of the credit; qualified individuals.** Subject to subsection 2 and except as provided in this subsection, the credit with respect to a qualified individual is equal to the amount determined under paragraph A or paragraph B, whichever is less, multiplied by the proration factor:

A. The benchmark loan payment multiplied by the number of months during the taxable year in which the taxpayer made loan payments; or

B. The monthly loan payment amount multiplied by the number of months during the taxable year in which the taxpayer made loan payments.

The credit under this subsection for a qualified individual under subsection 1, paragraph G, subparagraph (1), division (a) who transferred to an accredited Maine community college, college or university from an accredited non-Maine community college, college or university after December 31, 2012 but before January 1, 2016 and who earned no more than 30 credit hours of course work toward the degree at an accredited non-Maine community college, college or university is equal to 50% of the amount otherwise determined under this section in the case of an associate degree and equal to 75% of the amount otherwise determined under this section in the case of a bachelor's degree.

Notwithstanding subsection 2, paragraph C, the credit under this subsection is refundable to the extent the credit is based on loans included in the financial aid package acquired to obtain a bachelor's degree or associate degree in science, technology, engineering or mathematics. For tax years beginning on or after January 1, 2016, the credit under this subsection is refundable to the extent the credit is based on loans included in the financial aid package acquired to obtain an associate degree.

For purposes of this subsection, the proration factor is the amount derived by dividing the total number of academic credit hours earned for ~~a~~ an associate, bachelor's or associate graduate degree after December 31, 2007 by the total number of academic credit hours earned for the associate, bachelor's or associate graduate degree.

**Sec. D-9. 36 MRSA §5275**, as amended by PL 1979, c. 378, §44, is repealed.

**Sec. D-10. 36 MRSA §5403, sub-§4**, as enacted by PL 2015, c. 267, Pt. DD, §33, is amended to read:

**4. Individual income tax standard deduction and itemized deduction phase-out.** Beginning in 2017 and each year thereafter, by the dollar amount contained in the numerator of the fraction specified in section ~~5122, subsection 1, paragraph JJ, subparagraphs (1), (2) and (3)~~ 5124-B, subsection 3, paragraphs A, B and C and section 5125, subsection 6, paragraphs A, B and C, except that for the purposes of this subsection, notwithstanding section 5402, subsection 1-B, the "cost-of-living adjustment" is the Chained Consumer Price Index for the 12-month period ending June 30th of the preceding calendar year divided by the Chained Consumer Price Index for the 12-month period ending June 30, 2016;

**Sec. D-11. Retroactivity.** This Part applies retroactively to tax years beginning on or after January 1, 2016.

## PART E

**Sec. E-1. 36 MRSA §5122, sub-§1, ¶S**, as corrected by RR 2003, c. 2, §117, is repealed.

**Sec. E-2. 36 MRSA §5122, sub-§1, ¶V**, as repealed and replaced by PL 2007, c. 437, §15, is repealed.

**Sec. E-3. 36 MRSA §5216-B, sub-§2**, as amended by PL 2015, c. 300, Pt. A, §41, is further amended to read:

**2. Credit.** An investor is entitled to a credit against the tax otherwise due under this Part equal to the amount of the tax credit certificate issued by the Finance Authority of Maine in accordance with Title 10, section 1100-T and as limited by this section. Except with respect to tax credit certificates issued under Title 10, section 1100-T, subsection 2-C, in the case of partnerships, limited liability companies, S corporations, nontaxable trusts and any other entities that are treated as flow-through entities for tax purposes under the Code, the individual partners, members, stockholders, beneficiaries or equity owners of such entities must be treated as the investors under this section and are allowed a credit against the tax otherwise due from them under this Part in proportion to their respective interests in those partnerships, limited liability companies, S corporations, trusts or other flow-through entities. Except as limited or authorized by subsection 3 or 4, 25% of the credit must be taken in the taxable year in which the investment is made and 25% per year must be taken in each of the next 3 taxable years. With respect to tax credit certificates issued under Title 10, section 1100-T, subsection 2-C, the credits are ~~fully~~ refundable and the investor shall file a return

requesting a refund for an investment for which it has received a tax credit certificate in the calendar year following the calendar year during which the investment was made.

**Sec. E-4. 36 MRSA §5217-B**, as amended by PL 1999, c. 521, Pt. C, §7 and affected by §9, is repealed.

**Sec. E-5. 36 MRSA §5219-P**, as amended by PL 2005, c. 519, Pt. PPP, §§1 and 2, is repealed.

**Sec. E-6. 36 MRSA §5219-BB, sub-§6**, as enacted by PL 2007, c. 539, Pt. WW, §4, is amended to read:

**6. Credit refundable.** The credit allowed under this section is ~~fully~~ refundable.

**Sec. E-7. 36 MRSA §5219-CC**, as enacted by PL 2007, c. 693, §33 and affected by §37, is repealed.

**Sec. E-8. 36 MRSA §5219-HH, sub-§6**, as enacted by PL 2011, c. 548, §33 and affected by §35, is amended to read:

**6. Credit refundable.** The credit allowed under this section is ~~fully~~ refundable.

**Sec. E-9. 36 MRSA §6754, sub-§2, ¶D**, as amended by PL 2001, c. 669, §4, is repealed.

#### PART F

**Sec. F-1. 36 MRSA §1760, sub-§89**, as amended by PL 2007, c. 693, §15 and affected by §37, is repealed.

**Sec. F-2. 36 MRSA §2017**, as reallocated by PL 2007, c. 466, Pt. A, §61 and amended by c. 693, §§17 to 21 and affected by c. 693, §37, is repealed.

#### PART G

**Sec. G-1. 24-A MRSA §5055, sub-§3**, as enacted by PL 1989, c. 556, Pt. B, §4, is amended to read:

**3. Credit for employers.** An employer providing long-term care benefits to its employees may qualify for the tax credit provided by Title 36, section ~~2525-A or 5217-B~~ 5217-C.

**Sec. G-2. 35-A MRSA §3403, sub-§3**, as enacted by PL 2007, c. 693, §5 and affected by §37, is amended to read:

**3. Certification.** The commission may certify a person as a community wind power generator if the commission determines that such a certification would support construction of a community wind power generation facility in this State and that the person will be the owner of that facility. ~~The person must demonstrate to the commission that the construction of the community wind power generation facility would not be likely to occur absent the availability of the benefits under Title 36, section 1760, subsection 89 and Title~~

~~36, sections 2017 and 5219-CC.~~ The commission may not certify a person as a community wind power generator with respect to a community wind power generation facility for which the person commenced the site permit application process prior to August 23, 2006.

#### PART H

**Sec. H-1. 36 MRSA §5122, sub-§2, ¶M**, as amended by PL 2011, c. 657, Pt. R, §1, is further amended to read:

M. For each individual who is a primary recipient of pension benefits under an employee retirement plan, an amount that is the lesser of:

(1) Six thousand dollars reduced by the total amount of the individual's social security benefits and railroad retirement benefits paid by the United States, but not less than \$0. The reduction does not apply to benefits paid under a military retirement plan; or

(2) The aggregate of pension benefits under employee retirement plans included in the individual's federal adjusted gross income.

For purposes of this paragraph, the following terms have the following meanings. "Primary recipient" means the individual upon whose earnings the employee retirement plan benefits are based or the surviving spouse of that individual. "Pension benefits" means employee retirement benefits reported as pension or annuity income for federal income tax purposes. "Employee retirement plan" means a state, federal or military retirement plan or any other retirement benefit plan established and maintained by an employer for the benefit of its employees under the Code, Section 401(a), Section 403 or Section 457(b), except that distributions made pursuant to a Section 457(b) plan are not eligible for the deduction provided by this paragraph if they are made prior to age 55 and are not part of a series of substantially equal periodic payments made for the life of the primary recipient or the joint lives of the primary recipient and that recipient's designated beneficiary. "Employee retirement plan" does not include an individual retirement account under Section 408 of the Code, a Roth IRA under Section 408A of the Code, a rollover individual retirement account, a simplified employee pension under Section 408(k) of the Code or an ineligible deferred compensation plan under Section 457(f) of the Code. Pension benefits under an employee retirement plan do not include distributions that are subject to the tax imposed by the Code, Section 72(t). "Military retirement plan" means benefits received as a result of service in the active or reserve components of the United States Army, Navy, Air Force, Marines or Coast Guard.

This paragraph does not apply to tax years beginning on or after January 1, 2014;

**Sec. H-2. 36 MRSA §5122, sub-§2, ¶M-1,** as amended by PL 2015, c. 382, §1, is further amended to read:

M-1. For tax years beginning on or after January 1, 2014 but before January 1, 2016, for each individual who is a primary recipient of retirement plan benefits under an employee retirement plan or an individual retirement account, an amount that is the lesser of the aggregate of retirement plan benefits under employee retirement plans or individual retirement accounts included in the individual's federal adjusted gross income and the pension deduction amount reduced by the total amount of the individual's social security benefits and railroad retirement benefits paid by the United States, but not less than \$0. The social security benefits and railroad retirement benefits reduction does not apply to benefits paid under a military retirement plan.

For purposes of this paragraph, the following terms have the following meanings.

(1) "Employee retirement plan" means a state, federal or military retirement plan or any other retirement benefit plan established and maintained by an employer for the benefit of its employees under the Code, Section 401(a), Section 403 or Section 457(b), except that distributions made pursuant to a Section 457(b) plan are not eligible for the deduction provided by this paragraph if they are made prior to age 55 and are not part of a series of substantially equal periodic payments made for the life of the primary recipient or the joint lives of the primary recipient and that recipient's designated beneficiary.

(2) "Individual retirement account" means an individual retirement account under Section 408 of the Code, a Roth IRA under Section 408A of the Code, a simplified employee pension under Section 408(k) of the Code or a simple retirement account for employees under Section 408(p) of the Code.

(3) "Military retirement plan" means retirement plan benefits received as a result of service in the active or reserve components of the United States Army, Navy, Air Force, Marines or Coast Guard.

(4) "Pension deduction amount" means \$10,000.

(5) "Primary recipient" means the individual upon whose earnings or contributions the retirement plan benefits are based or the surviving spouse of that individual.

(6) "Retirement plan benefits" means employee retirement plan benefits, except pick-up contributions for which a subtraction is allowed under paragraph E, reported as pension or annuity income for federal income tax purposes and individual retirement account benefits reported as individual retirement account distributions for federal income tax purposes. "Retirement plan benefits" does not include distributions that are subject to the tax imposed by the Code, Section 72(t);

**Sec. H-3. 36 MRSA §5122, sub-§2, ¶M-2,** as amended by PL 2015, c. 382, §2 and c. 390, §8, is further amended to read:

M-2. For tax years beginning on or after January 1, 2016:

(1) For each individual who is a primary recipient of retirement plan benefits, the reduction is the sum of:

(a) Excluding military retirement plan benefits, an amount that is the lesser of:

(i) The aggregate of retirement plan benefits under employee retirement plans or individual retirement accounts included in the individual's federal adjusted gross income; and

(ii) The pension deduction amount reduced by the total amount of the individual's social security benefits and railroad retirement benefits paid by the United States, but not less than \$0; and

(b) An amount equal to the aggregate of retirement benefits under military retirement plans included in the individual's federal adjusted gross income; and

(2) For purposes of this paragraph, the following terms have the following meanings.

(a) "Employee retirement plan" means a state, federal or military retirement plan or any other retirement benefit plan established and maintained by an employer for the benefit of its employees under the Code, Section 401(a), Section 403 or Section 457(b), except that distributions made pursuant to a Section 457(b) plan are not eligible for the deduction provided by this paragraph if they are made prior to age 55 and are not part of a series of substantially equal periodic payments made for the life of the primary recipient or the joint lives of the primary recipient and that recipient's designated beneficiary.

(b) "Individual retirement account" means an individual retirement account under Section 408 of the Code, a Roth IRA under Section 408A of the Code, a simplified employee pension under Section 408(k) of the Code or a simple retirement account for employees under Section 408(p) of the Code.

(c) "Military retirement plan" means retirement plan benefits received as a result of service in the active or reserve components of the United States Army, Navy, Air Force, Marines or Coast Guard.

(d) "Pension deduction amount" means \$10,000.

(e) "Primary recipient" means the individual upon whose earnings or contributions the retirement plan benefits are based or the surviving spouse of that individual.

(f) "Retirement plan benefits" means employee retirement plan benefits, except pick-up contributions for which a subtraction is allowed under paragraph E, reported as pension or annuity income for federal income tax purposes and individual retirement account benefits reported as individual retirement account distributions for federal income tax purposes. "Retirement plan benefits" does not include distributions that are subject to the tax imposed by the Code, Section 72(t);

See title page for effective date.

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## CHAPTER 171

### S.P. 554 - L.D. 1576

#### An Act To Enable Earlier Introduction of Career and Technical Education in Maine Schools

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

**Sec. 1. 20-A MRSA §8301-A, sub-§1**, as amended by PL 2003, c. 545, §1, is further amended to read:

**1. Affiliated unit.** "Affiliated unit" means a school administrative unit that is affiliated with another school administrative unit that operates a center. An affiliated school administrative unit may have its secondary students and middle school level students

served by a center operated by a school administrative unit with which it is affiliated. An affiliated school administrative unit may also operate career and technical education satellite programs.

**Sec. 2. 20-A MRSA §8301-A, sub-§2-A**, as enacted by PL 2003, c. 545, §1, is amended to read:

**2-A. Career and technical education.** "Career and technical education" means a course or program of education designed to create or improve job-related skills that is part of a secondary school or middle school level curriculum and approved by the commissioner according to this chapter. A school administrative unit shall make career and technical education available to persons residing in the school administrative unit who are eligible to receive free public secondary and middle school level education.

**Sec. 3. 20-A MRSA §8301-A, sub-§3**, as amended by PL 2003, c. 545, §1, is further amended to read:

**3. Center.** "Center" means an administrative entity established pursuant to this chapter that provides career and technical education to secondary students and middle school level students. Unless otherwise specifically provided for by this chapter, a center is governed, operated and administered by a single school administrative unit. A center shall make its programs available to serve secondary students and middle school level students from school administrative units with which it is affiliated. A center may include within its administrative structure career and technical education satellite programs operated by school administrative units with which it is affiliated.

**Sec. 4. 20-A MRSA §8301-A, sub-§3-A** is enacted to read:

**3-A. Middle school level.** "Middle school level" has the same meaning as in section 15672, subsection 20.

**Sec. 5. 20-A MRSA §8301-A, sub-§§6 and 8**, as amended by PL 2003, c. 545, §1, are further amended to read:

**6. Region.** "Region" means a quasi-municipal corporation established by the Legislature to provide career and technical education to secondary students and middle school level students that is comprised of all the school administrative units within the geographical boundaries set forth for each career and technical education region in section 8451. A region is governed by a cooperative board formed and operating in accordance with this chapter.

**8. Satellite program.** "Satellite program" means a program providing career and technical education to secondary students and middle school level students that is operated, under section 8403-A, by a school administrative unit affiliated with a center.

**Sec. 6. 20-A MRSA §8305-A, sub-§1**, as amended by PL 2011, c. 679, §7, is further amended to read:

**1. General right.** A person eligible to receive free public secondary and middle school level education may, consistent with this section and department rules:

A. Receive career and technical education from a center, satellite program or region that serves the person's residence; or

B. Receive career and technical education from a center, satellite program or region outside of the geographical area that serves the person's residence, subject to the approval of the governing bodies of the sending unit and receiving center, satellite program or region.

**Sec. 7. 20-A MRSA §8305-A, sub-§2**, as corrected by RR 2003, c. 2, §43, is amended to read:

**2. Admission standards.** A region, center or satellite program shall determine, in accordance with its published admission standards, whether to admit a person to such a region, center or satellite program. Unless otherwise specifically provided for in this chapter, priority to enroll in any career and technical education course of study offered by a region, center or satellite program must be given first to persons eligible to receive a free public secondary or middle school level education who are residents of municipalities served by that region, center or satellite program.

**Sec. 8. 20-A MRSA §8451, sub-§1**, as corrected by RR 2003, c. 2, §60, is amended to read:

**1. Legislative intent.** It is the intent of the Legislature that each career and technical education region shall provide career and technical education in accordance with this chapter and shall function as an extension of the secondary schools and middle schools located within the region's boundaries.

**Sec. 9. 20-A MRSA §8451, sub-§2, ¶H**, as repealed and replaced by PL 2011, c. 679, §17, is amended to read:

H. Region 9. NORTHERN OXFORD COUNTY. Units located in this region include:

- (1) Albany Township;
- (2) Gilead;
- (3) Mason Township;
- (4) Milton Township;
- (5) Riley Township;
- (6) Upton, as long as it sends its secondary students and middle school level students to schools operated by administrative units within the region;

(7) The portion of Regional School Unit No. 10 comprising the municipalities in the former units of Hanover, Peru, School Administrative District No. 21 (Canton, Carthage and Dixfield) and School Administrative District No. 43 (Byron, Mexico, Roxbury and Rumford); and

(8) Regional School Unit No. 44 doing business as School Administrative District No. 44 (Andover, Bethel, Greenwood, Newry and Woodstock).

**Sec. 10. 20-A MRSA §8451, sub-§3, ¶A**, as amended by PL 1991, c. 518, §17, is further amended to read:

A. Public secondary schools and middle schools located at: Ashland; Caribou; Easton; Fort Fairfield; Limestone; Mars Hill; Presque Isle; and Washburn are served by centers located in Presque Isle and Caribou.

**Sec. 11. 20-A MRSA §8451, sub-§5, ¶A**, as amended by PL 2011, c. 679, §18, is further amended to read:

A. Public secondary schools and middle schools located in the school administrative units of Madawaska, School Administrative District No. 10 (Allagash), School Administrative District No. 27 (Eagle Lake, Fort Kent, New Canada, St. Francis, St. John Plantation, Wallagrass and Winterville Plantation) and Regional School Unit No. 33 doing business as School Administrative District No. 33 (Frenchville and St. Agatha) are served by a center located in Frenchville (St. John Valley Technology Center), as long as the school boards of former School Administrative District No. 27 (Eagle Lake, Fort Kent, New Canada, St. Francis, St. John Plantation, Wallagrass and Winterville Plantation), former School Administrative District No. 33 (Frenchville and St. Agatha) and Madawaska enter into a cooperative agreement pursuant to section 8401. Career and technical education students from Regional School Unit No. 88 doing business as School Administrative District No. 24 (Cyr Plantation, Hamlin and Van Buren) must be permitted to attend that center on a tuition basis to the extent that there are unused slots available in the career and technical education programs at the center.

**Sec. 12. 20-A MRSA §15672, sub-§1-D**, as enacted by PL 2011, c. 679, §27, is amended to read:

**1-D. Career and technical education costs.** "Career and technical education costs" for subsidy purposes means all costs incurred by the career and technical education regions, centers or satellites in providing approved secondary school and middle school level career and technical education programs,

excluding transportation, capital costs and debt service.

See title page for effective date.

## CHAPTER 172

### H.P. 1086 - L.D. 1579

#### An Act To Amend and Add Consistency to the Maine Weights and Measures Law

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

Sec. 1. 10 MRSA c. 501, sub-c. 4-A is enacted to read:

#### SUBCHAPTER 4-A

#### LOCAL SEALERS

#### §2461. Election by municipal officers

The municipal officers of a municipality may elect or appoint a sealer of weights and measures, and a deputy sealer if necessary, not necessarily a resident of that municipality, and the sealer and deputy sealer hold office during their efficiency and the faithful performance of their duties. The state sealer has final approval authority over a sealer or deputy sealer elected or appointed pursuant to this section. Prior to approval or assuming any duties, a sealer or deputy sealer elected or appointed pursuant to this section must successfully complete certification by the National Conference on Weights and Measures as a weights and measures professional in the National Conference on Weights and Measures professional certification program for the device types the sealer or deputy sealer wishes to seal. On complaint being made to the municipal officers of the inefficiency or neglect of duty of a sealer or deputy sealer, the municipal officers shall set a date for and give notice of a hearing to the complainant, the relevant sealer and the state sealer. If evidence satisfies the municipal officers that the sealer or deputy sealer has been inefficient or has neglected the sealer's or deputy sealer's duty, they may remove the sealer or deputy sealer from office and elect or appoint another in the sealer's or deputy sealer's stead. The state sealer has jurisdiction over a sealer or deputy sealer elected or appointed pursuant to this section, and any vacancy caused by death or resignation must be filled by election or appointment by the municipal officers within 30 days. Within 10 days after each such election or appointment, the clerk of each municipality shall communicate the name of the person so elected or appointed to the state sealer. A sealer of weights and measures in any municipality may be sealer for several municipalities, if such is the pleasure of the municipal officers of those municipalities, as long as this action receives the approval of the state

sealer. The state sealer or the state sealer's designee shall test and certify annually municipal weights and measures equipment used by a sealer or deputy sealer elected or appointed pursuant to this section.

#### §2462. Municipalities that do not choose a sealer

If the municipal officers do not elect or appoint a sealer or fail to make a return to the state sealer of the election or appointment within 30 days after the election or appointment in accordance with section 2461, the state sealer retains sole authority to enforce this chapter in that municipality and the concurrent authority provided under section 2411 does not apply in that municipality. Pursuant to section 2402, subsection 7, the state sealer may appoint a qualified person to carry out the state sealer's responsibilities in that municipality, and any person appointed under this section may serve in that capacity for more than one municipality.

#### §2463. Powers and duties

A weights and measures official elected or appointed for a municipality has the duties enumerated in section 2402, subsections 2 to 9 and the powers enumerated in section 2403. These powers and duties extend to the official's jurisdiction.

#### §2464. Records of weights and measures sealed; annual report

A sealer shall keep records of all weights and measures, balances and measuring devices inspected, sealed or condemned by that sealer, giving the name of the owner or agent, the place of business, the date of inspection and kind of apparatus inspected, sealed or condemned. The sealer shall make an annual report on July 1st for the 12 preceding months on forms prescribed by the state sealer and shall furnish such information as the state sealer may require.

Sec. 2. 10 MRSA §2632 is enacted to read:

#### §2632. Compliance testing of net contents on packaged goods

The specifications, tolerances and other technical requirements for compliance testing of the net contents of packaged goods as adopted by the National Conference on Weights and Measures and published in the National Institute of Standards and Technology Handbook 133 (2016), "Checking the Net Contents of Packaged Goods," and supplements or revisions to this publication, apply to packaged goods in this State, except as modified or rejected by a regulation issued by the state sealer.

See title page for effective date.

**CHAPTER 173**  
**H.P. 1096 - L.D. 1592**

**An Act To Remove Barriers to  
Professional Licensing for  
Veterans**

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

**Sec. 1. 10 MRSA §8003, sub-§2-A, ¶¶K and L,** as enacted by PL 1999, c. 687, Pt. C, §6, are amended to read:

K. To prepare and submit to the commissioner an annual report of the office's operations, activities and goals; and

L. To study jurisdictional overlap between the department's boards and commissions and other state agencies for purposes of streamlining and consolidating related legal authorities and administrative processes;

**Sec. 2. 10 MRSA §8003, sub-§2-A, ¶¶M and N** are enacted to read:

M. To exercise discretionary authority, after consultation with licensing boards if applicable, to review and determine on a case-by-case basis examination and licensing eligibility for applications for licensure submitted by individuals who identify themselves as veterans with military service, experience and training; and

N. To exercise discretionary authority to waive examination fees and license fees for applicants for licensure who identify themselves as veterans with military service, experience and training.

See title page for effective date.

**CHAPTER 174**  
**H.P. 1017 - L.D. 1478**

**An Act To Provide Support for  
Sustainable Economic  
Development in Rural Maine**

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

**Whereas,** investing in the rehabilitation and revitalization of nonproductive industrial and manufacturing sites will provide an economic boost to rural communities that have experienced severe economic decline and employment loss; and

**Whereas,** delaying the effective date of this bill will unnecessarily prolong the economic challenges faced by these rural communities; 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 §13120-P, sub-§4** is enacted to read:

**4. Other use of program funds.** The authority may use funds available for the program established in this section:

A. To implement the program established in this section; and

B. To provide technical assistance, planning grants and implementation grants to municipalities and other entities eligible for assistance under section 13120-R.

**Sec. 2. 5 MRSA §§13120-R and 13120-S** are enacted to read:

**§13120-R. Rural Manufacturing and Industrial  
Site Redevelopment Program**

**1. Establishment; purpose.** The Rural Manufacturing and Industrial Site Redevelopment Program is established within the authority to provide technical assistance, planning grants and implementation grants for the rehabilitation, revitalization and marketing of manufacturing and industrial sites in rural communities.

**2. Technical assistance and planning grants.** The authority may provide technical assistance and grants for redevelopment and marketing of a nonproductive industrial or manufacturing site to a municipality or the owner of the nonproductive industrial or manufacturing site. In awarding grants and providing technical assistance under this subsection, the authority shall give preference to nonproductive industrial or manufacturing sites located in communities that have experienced severe economic decline and employment loss due to the nonproductive nature of the site and insufficient technical or planning personnel or resources.

A. The authority shall work collaboratively with other state agencies and regional economic development organizations to provide technical assistance under this subsection.

B. A municipality that receives technical assistance or a planning grant under this subsection shall form a committee, whose membership in-

cludes but is not limited to local residents and the owner of the nonproductive industrial or manufacturing site, to provide advice regarding the redevelopment of the site.

C. If the authority is unable to provide technical assistance to a municipality or the owner of a nonproductive industrial or manufacturing site that is qualified for technical assistance under this subsection, as determined by rule, the authority may provide a planning grant to the municipality or the owner of the nonproductive industrial or manufacturing site.

D. The authority shall adopt rules related to the implementation of this subsection, including rules regarding the application process and eligibility of applicants for technical assistance and planning grants. Rules adopted under this paragraph are routine technical rules pursuant to chapter 375, subchapter 2-A.

**3. Implementation grants; rules.** The authority may provide grants for implementing a project for the redevelopment and marketing of a nonproductive industrial or manufacturing site located in a rural community that has experienced severe economic decline and employment loss due to the nonproductive nature of the site. An applicant for a grant must demonstrate the capacity to undertake the project with a reasonable prospect of bringing it to successful completion.

The authority shall adopt rules, which are routine technical rules pursuant to chapter 375, subchapter 2-A, related to the implementation of this subsection, including rules regarding:

A. The application process for implementation grants; and

B. The criteria and scoring system for awarding implementation grants. The scoring system must include, but is not limited to, an evaluation of the plan for redeveloping and marketing the nonproductive industrial or manufacturing site, community support for the project and consistency with any applicable regional economic development plan.

**§13120-S. Inventory of nonproductive industrial or manufacturing sites**

By January 1, 2018 and annually thereafter, the authority, in consultation with the Office of Business Development within the department, shall make or require an inventory to be made of all nonproductive industrial or manufacturing sites in the State that are available for redevelopment.

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

Effective June 12, 2017.

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**CHAPTER 175**

**H.P. 10 - L.D. 9**

**An Act To Prohibit the  
Creation of a Firearms Owner  
Registry**

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

**Sec. 1. 25 MRSA §2014** is enacted to read:

**§2014. Government firearms or firearms owners registry prohibited**

Notwithstanding any other provision of law to the contrary, a government agency of this State or a political subdivision of this State may not keep or cause to be kept a comprehensive registry of privately owned firearms and the owners of those firearms within its jurisdiction.

See title page for effective date.

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**CHAPTER 176**

**H.P. 484 - L.D. 693**

**An Act To Clarify the Laws  
Governing Hunting from a  
Vehicle**

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

**Sec. 1. 12 MRSA §11212**, as amended by PL 2015, c. 327, §1, is repealed.

**Sec. 2. 12 MRSA §11212-A** is enacted to read:

**§11212-A. Hunting or shooting from a motor vehicle or motorboat**

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

A. "Loaded firearm or crossbow" means a firearm with a cartridge or shell in the chamber or in an attached magazine, clip or cylinder or a muzzle-loading firearm charged with powder, lead and a primed ignition device or mechanism or a cocked and armed crossbow.

B. "Vehicle" means a motor vehicle or a trailer or other type of vehicle being hauled by a motor vehicle.

**2. Prohibition; vehicles.** A person may not shoot while in or on a vehicle, have a loaded firearm or crossbow while in or on a vehicle or rest a loaded firearm or crossbow on a vehicle except as provided in subsection 3.

**3. Exceptions.** The following exceptions apply to subsection 2.

A. While hunting, a person who is not in or on a vehicle may rest a loaded firearm or crossbow that is under the person's control on the vehicle to shoot only when the vehicle is not in motion and the engine of the vehicle is not running.

B. While hunting, a person who is on but not within an enclosed area or passenger compartment of an all-terrain vehicle or snowmobile may shoot a firearm or crossbow or rest a loaded firearm or crossbow that is under the person's control on the all-terrain vehicle or snowmobile to shoot only when the all-terrain vehicle or snowmobile is not in motion and the engine of the all-terrain vehicle or snowmobile is not running.

C. While target shooting and not hunting, a person who is on but not within an enclosed area or passenger compartment of a vehicle may shoot a firearm or crossbow or rest a loaded firearm or crossbow that is under the person's control on the vehicle to shoot only when the vehicle is not in motion and the engine of the vehicle is not running.

D. Notwithstanding paragraph A, a paraplegic or single or double amputee of the legs may shoot from a vehicle that is not in motion.

E. A person who is 21 years of age or older and is not otherwise prohibited from possessing a firearm or is 18 years of age or older and under 21 years of age and is on active duty in the Armed Forces of the United States or the National Guard or is an honorably discharged veteran of the Armed Forces of the United States or the National Guard and is not otherwise prohibited from carrying a firearm may have in or on a vehicle a loaded pistol or revolver.

**4. Prohibition; motorboats.** A person may not shoot while in or on a motorboat, except that:

A. A person may hunt migratory waterfowl from a motorboat in accordance with federal regulations; and

B. A person may shoot from a motorboat if that boat is not being propelled by its motor.

**5. Possession of wild animals or wild birds.** A person may not possess a wild animal or wild bird

taken in violation of subsections 2 or 3, except as otherwise provided in this Part.

**6. Penalty.** A person who violates this section commits a Class E crime.

See title page for effective date.

## CHAPTER 177

### H.P. 149 - L.D. 193

#### An Act To Protect Retirement Accounts from Creditor Collection

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

**Sec. 1. 14 MRSA §4422, sub-§13, ¶D,** as amended by PL 2001, c. 306, §3, is further amended to read:

D. Alimony, support or separate maintenance, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor; or

**Sec. 2. 14 MRSA §4422, sub-§13, ¶E,** as amended by PL 2001, c. 306, §4, is further amended to read:

E. A payment or account under a stock bonus, pension, profitsharing, annuity or similar plan or contract on account of illness, disability, death, age or length of service, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor, unless:

(1) The plan or contract was established by or under the auspices of an insider that employed the debtor at the time the debtor's rights under the plan or contract arose;

(2) The payment is on account of age or length of service; and

(3) The plan or contract does not qualify under the United States Internal Revenue Code of ~~1954~~ 1986, Section 401(a), 403(a), 403(b), 408 or 409; ~~or.~~

**Sec. 3. 14 MRSA §4422, sub-§13, ¶F,** as enacted by PL 2001, c. 306, §5, is repealed.

**Sec. 4. 14 MRSA §4422, sub-§13-A** is enacted to read:

**13-A. Retirement funds.** Retirement funds to the extent those funds are in a fund or account that is exempt from taxation under the United States Internal Revenue Code of 1986, Section 401, 403, 408, 408A, 414, 457 or 501(a), up to an aggregate value of \$1,000,000. This subsection does not exempt:

A. Amounts contributed to the account or fund within 120 days before:

(1) The debtor files for bankruptcy if this exemption is being applied in a federal bankruptcy proceeding; or

(2) If this exemption is being applied in a proceeding other than a federal bankruptcy proceeding or for child support or spousal support covered by paragraph B, the earlier of the entry of judgment or other ruling against the debtor or the issuance of the levy, attachment, garnishment or other execution or order against which this exemption is being applied; or

B. Amounts in the account or fund necessary to satisfy child support or spousal support obligations.

See title page for effective date.

## CHAPTER 178

### S.P. 531 - L.D. 1506

#### **An Act To Amend the Usage and Consumer Protections of Guaranteed Asset Protection Waivers**

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

**Sec. 1. 10 MRSA c. 229** is enacted to read:

#### **CHAPTER 229**

#### **GUARANTEED ASSET PROTECTION WAIVERS**

#### **§1500-H. Guaranteed asset protection waivers**

**1. Definitions.** As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Administrator" means a person, other than an insurer or creditor, that performs administrative or operational functions pursuant to a waiver program.

B. "Borrower" means a debtor or retail buyer under a finance agreement.

C. "Creditor" means:

(1) The lender in a loan or credit transaction;

(2) A person engaged as a retail seller of motor vehicles that provides credit to consumers, as defined in Title 9-A, section 1-301, subsection 10, of the motor vehicles, as long as that person complies with the provisions of this section;

(3) The seller in a commercial retail installment transaction; or

(4) The assignee of any of the persons in subparagraphs (1) to (4) to which the credit obligation is payable.

D. "Finance agreement" means a loan or retail installment sales contract for the purchase of a motor vehicle.

E. "Free-look period" means the period of time, not less than 30 days, from the effective date of the waiver until the date the borrower may cancel the waiver contract without penalty, fees or costs to the borrower.

F. "Guaranteed asset protection waiver" or "waiver" means a contractual agreement in which a creditor agrees for a separate charge to cancel or waive all or part of the amount due on a borrower's finance agreement for a motor vehicle in the event of a total physical damage loss or unrecovered theft of the motor vehicle. The waiver must be part of or a separate addendum to the finance agreement.

G. "Insurer" has the same meaning as in Title 24-A, section 4.

H. "Motor vehicle" means a self-propelled vehicle not operated exclusively on railroad tracks; a motorcycle as defined in Title 29-A, section 101, subsection 38; a motor home as defined in Title 29-A, section 101, subsection 40; an all-terrain vehicle as defined in Title 12, section 13001, subsection 3; a snowmobile as defined in Title 12, section 13001, subsection 25; a motorboat as defined in Title 12, section 13001, subsection 16; a personal watercraft as defined in Title 12, section 13001, subsection 23; or a trailer as defined in Title 29-A, section 101, subsection 86. "Motor vehicle" includes vehicles whether self-propelled or towed.

I. "Person" includes an individual, company, association, organization, partnership, business trust, corporation and every form of legal entity.

J. "Superintendent" means, except in cases in which a credit union or financial institution authorized to do business in this State, as defined in Title 9-B, section 131, subsections 12-A and 17-A, is the creditor, the Superintendent of Consumer Credit Protection. In cases in which a financial institution authorized to do business in this State is the creditor, "superintendent" means the Superintendent of Financial Institutions.

**2. Requirements for offering waivers.** The following provisions apply to offering waivers.

A. A waiver may be offered, sold or provided to a borrower in this State in compliance with this chapter.

B. A waiver may, at the option of the creditor, be sold for a single payment or may be offered with a monthly or periodic payment option.

C. Notwithstanding any other provision of law, any cost to the borrower for a waiver entered into in compliance with the federal Truth in Lending Act, 15 United States Code, Section 1601 et seq. and its implementing regulations, as they may be amended from time to time, must be separately stated and may not be considered a finance charge or interest.

D. A retail seller must insure its waiver obligations under a contractual liability policy or other insurance policy issued by an insurer. A creditor, other than a retail seller, may insure its waiver obligations under a contractual liability policy or other insurance policy issued by an insurer. Any such insurance policy may be directly obtained by a creditor or retail seller or may be procured by an administrator to cover a creditor's or retail seller's obligations.

E. A waiver remains a part of the finance agreement upon the assignment, sale or transfer of the finance agreement by the creditor.

F. The extension of credit, the term of credit and the term of the related motor vehicle sale may not be conditioned upon the purchase of a waiver.

G. A creditor that offers a waiver must report the sale of and forward funds received on such a waiver to the designated party, if any, as prescribed in any applicable administrative services agreement, contractual liability policy, other insurance policy or other specified program documents.

H. Funds received or held by a creditor or administrator and belonging to an insurer, creditor or administrator, pursuant to the terms of a written agreement, must be held by the creditor or administrator in a fiduciary capacity.

I. The borrower's primary motor vehicle insurance carrier or, if applicable, the 3rd-party liability carrier shall determine the existence of a total physical damage loss. If no primary motor vehicle insurance or 3rd-party liability insurance is present on the date of loss, then the existence of a total physical damage loss must be determined pursuant to the terms of the waiver.

**3. Contractual liability policy or other insurance policy.** The following provisions govern a contractual liability policy or other insurance policy insuring waivers.

A. A contractual liability policy or other insurance policy insuring waivers must state the obligation of the insurer to reimburse or pay to the creditor any sums the creditor is legally obligated to waive under the waivers issued by the creditor and purchased by the borrower or held by the borrower.

B. Coverage under a contractual liability or other insurance policy insuring a waiver must also cover any subsequent assignee upon the assignment, sale or transfer of the finance agreement.

C. Coverage under a contractual liability or other insurance policy insuring a waiver must remain in effect unless cancelled or nonrenewed as provided in Title 24-A.

D. The cancellation or nonrenewal of a contractual liability or other insurance policy may not reduce the insurer's responsibility for waivers issued by the creditor prior to the date of cancellation or nonrenewal and for which premium has been received by the insurer.

**4. Disclosures.** A waiver must disclose, as applicable, in writing and in clear, understandable language that is easy to read, the following:

A. The name and address of the initial creditor and the borrower at the time of sale, and the identity of any administrator if different from the creditor;

B. The purchase price and the terms of the waiver, including without limitation the requirements for protection, condition or exclusion associated with the waiver;

C. That the borrower may cancel the waiver within a free-look period as specified in the waiver and will be entitled to a full refund of the purchase price as long as no waiver benefits have been provided;

D. The procedure the borrower must follow, if any, to obtain waiver benefits under the terms and conditions of the waiver and a telephone number and address where the borrower may apply for waiver benefits;

E. Whether or not the waiver is cancellable after the free-look period, the conditions under which it may be cancelled or terminated and the procedures for requesting any refund due;

F. That, in order to receive any refund due in the event of a borrower's cancellation of the waiver agreement or early termination of the finance agreement, the borrower, in accordance with the terms of the waiver, must provide a written request to cancel to the creditor, administrator or other party as specified in the waiver. If a borrower is cancelling the waiver due to early termi-

nation of the finance agreement, the borrower must provide a written request to the creditor, administrator or other party within 90 days of the occurrence of the event terminating the finance agreement;

G. The methodology for calculating any refund due of the unearned portion of the purchase price of the waiver in the event of cancellation of the waiver or early termination of the finance agreement; and

H. That the extension of credit, the terms of credit and the terms of the related motor vehicle sale may not be conditioned upon purchase of the waiver.

**5. Cancellation.** The following provisions govern the cancellation of a waiver.

A. A waiver must be cancellable after the free-look period. A waiver must provide that if a borrower cancels the waiver within the free-look period, the borrower is entitled to a full refund of the purchase price as long as no benefits have been provided.

B. In the event of a borrower's cancellation of the waiver or early termination of the finance agreement, after the agreement has been in effect beyond the free-look period, the borrower is entitled to a pro rata refund of any unearned portion of the purchase price of the waiver. In order to receive a refund, the borrower, in accordance with any applicable terms of the waiver, must provide a written request to the creditor, administrator or other party. If the borrower is cancelling the waiver due to the early termination of the finance agreement, the borrower must provide a written request within 90 days of the event terminating the finance agreement.

C. If the cancellation of a waiver occurs as a result of a default under the finance agreement or the repossession of the motor vehicle associated with the finance agreement, or any other termination of the finance agreement, any refund due may be paid directly to the creditor or administrator and applied as set forth in paragraph D.

D. Any refund under paragraph A, B or C may be applied by the creditor as a reduction of the amount owed under the finance agreement unless the borrower shows that the finance agreement has been paid in full.

**6. Enforcement.** The superintendent may require the filing of notification by an administrator pursuant to Title 9-A, section 6-202 and section 6-203, subsection 1. The superintendent may require the filing of waivers in use by an administrator. Upon request by the superintendent, an administrator shall

annually file a record of waivers administered by the administrator.

The superintendent may take action that is necessary or appropriate to enforce the provisions of this chapter and to protect borrowers who hold waivers in this State. In cases in which a credit union or financial institution authorized to do business in this State, as defined in Title 9-B, section 131, subsections 12-A and 17-A, is a creditor, the Superintendent of Financial Institutions is responsible for enforcement. After notice and opportunity for hearing, the superintendent may:

A. Order the creditor, administrator or any other person not in compliance with this chapter to cease and desist from further waiver-related operations that are in violation of this chapter; and

B. Impose a penalty of not more than \$500 per violation and not more than \$10,000 in the aggregate for all violations of a similar nature. For purposes of this paragraph, violations must be considered of a similar nature if the violations consist of the same or a similar course of conduct, action or practice, irrespective of the number of times the conduct, action or practice that is determined to be a violation of this chapter occurred.

**7. Exemptions.** The following exemptions apply.

A. This chapter does not apply to:

(1) An insurance policy or a guaranteed asset protection insurance policy offered by an insurer under Title 24-A; or

(2) A debt cancellation or debt suspension contract offered by a credit union or financial institution authorized to do business in this State, as defined in Title 9-B, section 131, subsections 12-A and 17-A, in compliance with 12 Code of Federal Regulations, Part 37 (2017) or 12 Code of Federal Regulations, Part 721 (2017) or other federal law.

B. Subsection 2, paragraph C and subsections 4 and 6 are not applicable to a waiver offered in connection with a retail installment sale associated with a commercial transaction.

C. Waivers governed under this chapter are not insurance and are exempt from Title 24-A. A person is not required to obtain a license as a producer or insurer or in any other capacity be regulated under Title 24-A in order to market, administer, sell or offer to sell a waiver.

**Sec. 2. Application.** This Act applies to all guaranteed asset protection waivers that become effective on or after January 1, 2018.

See title page for effective date.

**CHAPTER 179**  
**S.P. 355 - L.D. 1073**

**An Act To Clarify Laws  
Regarding Maine's Community  
Colleges**

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

**Sec. 1. 5 MRSA §18, sub-§1, ¶B**, as repealed and replaced by PL 1989, c. 443, §5 and amended by PL 2003, c. 20, Pt. OO, §2 and affected by §4, is further amended to read:

B. "Executive employee" means the constitutional officers, the State Auditor, members of the state boards and commissions as defined in chapter 379 and compensated members of the classified or unclassified service employed by the Executive Branch, but it ~~shall~~ does not include:

- (1) The Governor;
- (2) Employees of and members serving with the National Guard;
- (3) Employees of the University of Maine System, the Maine Maritime Academy and ~~state community colleges~~ the Maine Community College System;
- (4) Employees who are employees solely by their appointment to an advisory body;
- (5) Members of boards listed in chapter 379, who are required by law to represent a specific interest, except as otherwise provided by law; and
- (6) Members of advisory boards as listed in chapter 379.

**Sec. 2. 20-A MRSA §12701, sub-§1**, as enacted by PL 1985, c. 695, §11, is repealed.

**Sec. 3. 20-A MRSA §12701, sub-§4-A** is enacted to read:

**4-A. Presidents' council.** "Presidents' council" means the advisory council of the system as established in section 12713.

**Sec. 4. 20-A MRSA §12706, sub-§1**, as amended by PL 1989, c. 878, Pt. I, §4 and PL 2003, c. 20, Pt. OO, §2 and affected by §4, is further amended to read:

**1. Policies.** To develop and adopt policies for the operation of the system, the Maine Community College System Office and the colleges; establish the ~~administrative~~ presidents' council; and approve programs and policies recommended by the president of the system and the ~~administrative~~ presidents' council;

**Sec. 5. 20-A MRSA §12706, sub-§9**, as enacted by PL 1985, c. 695, §11, is amended to read:

**9. Contracts and agreements.** To enter into any contracts, leases and agreements and any other instruments and arrangements that are necessary, incidental or convenient to the performance of its duties and the execution of its powers under this chapter; except that any such agreement other than an employment agreement that contains the following provisions against the system is void:

A. Any requirement that the system must waive its governmental immunity or limited liability;

B. Any requirement that the system must carry insurance in addition to or in excess of its existing insurance;

C. Any requirement that the system must defend, indemnify or hold harmless any other party;

D. Any requirement that the system must submit to the law of a state other than this State;

E. Any requirement that the system must waive its insurer's rights of subrogation;

F. Any requirement that the system must pay another party's attorney's fees; and

G. Any requirement that the agreement is subject to an automatic renewal other than month to month;

**Sec. 6. 20-A MRSA §12706, sub-§13**, as amended by PL 2007, c. 67, §3, is further amended to read:

**13. Property management.** To acquire by purchase, gift, lease or rent any property, lands, buildings, structures, facilities or equipment necessary to fulfill the purposes of this chapter. The board of trustees shall manage, rent, lease, sell and dispose of property, including lands, buildings, structures, equipment and facilities, and license dormitory rooms for occupancy by students. The purchase and installation of faucets, shower heads, toilets and urinals is subject to Title 5, section 1762-A. ~~If the board of trustees proposes to sell or permanently transfer any interest in real estate, the transaction must be approved by the Legislature before the interest is transferred. Any revenues derived from these uses are to be credited to a separate fund to be used for the purposes of this chapter. Notwithstanding any other provision of law, the board of trustees may grant or otherwise transfer utility easements without legislative approval;~~

**Sec. 7. 20-A MRSA §12706, sub-§14**, as enacted by PL 1985, c. 695, §11, is amended to read:

**14. Facilities management; construction and renovation.** To authorize the construction, maintenance, renovation, reconstruction or other necessary improvements of buildings, structures and facilities

and promote the regular use of facility master planning in order to coordinate efficient long-term facilities planning;

**Sec. 8. 20-A MRSA §12706, sub-§15**, as enacted by PL 1985, c. 695, §11, is amended to read:

**15. Courses of study and degrees.** To offer courses of study, grant diplomas and certificates on completion of courses of study, confer associate degrees based on 2 years of instruction and establish qualifications for admission; to offer short-term and on-site training, to meet the needs of the private and public sectors and economic development and employment training programs; ~~and~~ to offer adult education and continuing educational opportunities to meet the needs of nontraditional students and of adults who need training or retraining in response to changes in technology or the needs of the economy; and to encourage the development of innovative delivery methods, course schedules, student support services and prior learning assessments that help expand access to both credit and noncredit programming;

**Sec. 9. 20-A MRSA §12706, sub-§19**, as amended by PL 2001, c. 590, §2 and by PL 2003, c. 20, Pt. OO, §2 and affected by §4 and amended by PL 2005, c. 397, Pt. D, §3, is further amended to read:

**19. Advisory committees.** To appoint or identify advisory committees to advise the board of trustees with respect to career and technical education and training policies and programs, to procedures for modifying the programs of the colleges to meet the needs of the State's economy and the changing job market and to the efficient operation of the colleges and the Maine Community College System Office. These committees may include, but need not be limited to, the Maine Council on Vocational Education, authorized under the United States Carl D. Perkins Vocational Education Act, Section 112, Public Law 98-524, or its successor; ~~and~~

**Sec. 10. 20-A MRSA §12706, sub-§20**, as enacted by PL 2001, c. 590, §3, is amended to read:

**20. Debt.** To borrow funds, issue bonds and negotiate notes and other evidences of indebtedness or obligations of the system for renovation, public improvements, land acquisition and construction purposes to pay for costs as defined in Title 22, section 2053, subsection 3. The board of trustees may issue temporary notes and renewal notes to pay for those costs. Bonds, notes or other evidences of indebtedness or obligations of the system are legal obligations of the system on behalf of the State and are payable solely from the system's revenues and other sources of funds, including funds obtained pursuant to Title 22, section 2053, subsection 4-B, paragraph A. These borrowings by the system do not constitute debts or liabilities of, and are not includable in, any debt obligation of the State. The board of trustees has the discretion to fix

the date, maturities, denomination, interest rate, place of payment, form and other details of the bonds or notes of the system. Unless otherwise provided in the vote authorizing their issuance, bonds or notes of the system must be signed by the president of the system and countersigned by the chair of the board of trustees. The aggregate principal amount of outstanding bonds, notes or other evidences of indebtedness of the system may not exceed \$35,000,000 at any one time, excluding temporary notes and renewal notes. The bonds may be issued through the Maine Health and Higher Education Facilities Authority. The board of trustees may pledge or assign its revenues, including any funds that have been or may be appropriated to the system, and the proceeds of those revenues and its other property as security toward its bonds, notes, other evidences of indebtedness or other obligations of the system. The proceeds of bonds, notes or other evidences of indebtedness may be invested in accordance with subsection 8. Bonds, notes and other evidences of indebtedness issued under this subsection are not debts of the State, nor a pledge of the credit of the State, but are payable solely from the funds of the system. Indebtedness incurred and evidences of indebtedness issued under this chapter constitute a proper public purpose, and all income derived is exempt from taxation in the State. The net earnings of the system may not inure to the benefit of any private person, and no borrowing may be effected pursuant to this chapter unless the amount of the borrowing and the project or projects are submitted to the Office of Fiscal and Program Review for review by the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs at least 60 days before closing on such borrowing for the project or projects is to be initiated; ~~and~~

**Sec. 11. 20-A MRSA §12706, sub-§21** is enacted to read:

**21. Campus security.** To support the development of campus security plans and policy, including the assessment of how persons qualified and designated by law enforcement or system policy may exercise the powers of Title 17-A, sections 107 and 108.

**Sec. 12. 20-A MRSA §12709, sub-§1**, as amended by PL 1991, c. 376, §38, is further amended to read:

**1. Leadership.** To develop policies, goals and objectives with respect to the operation of the colleges, to be reviewed and, when necessary, approved by the board of trustees. The president of the system shall meet regularly with the administrative presidents' council to develop these policies and goals;

**Sec. 13. 20-A MRSA §12709, sub-§9**, as enacted by PL 1985, c. 695, §11, is amended to read:

**9. Long-range planning and research.** In cooperation with the administrative presidents' council,

to undertake long-range planning and research, including planning for construction, renovation and reconstruction projects and report findings and recommendations to the board of trustees;

**Sec. 14. 20-A MRSA §12713**, as amended by PL 1989, c. 878, Pt. I, §11, is further amended to read:

**§12713. Presidents' council**

The ~~administrative~~ presidents' council ~~shall be~~ is a nonvoting, advisory council composed of the presidents of the colleges to advise the board of trustees and the president of the system. The ~~administrative~~ presidents' council shall advise the president of the system in the performance of the duties assigned under this chapter and shall make recommendations to the president of the system and the board of trustees with respect to the administration of the colleges, courses of study, educational programs, curricula, coordination of programs between the colleges, coordination with other institutions of higher learning and other educational and training institutions and other matters as requested by the president of the system or the board of trustees.

**Sec. 15. 20-A MRSA §12716, sub-§1**, as amended by PL 1989, c. 443, §52, is further amended to read:

**1. Scholarships and campus employment.** The board of trustees shall develop and administer a ~~program~~ programs of scholarships and campus employment for college students. ~~Awards shall~~ Scholarships must be based on evidence of individual need and worth.

Students selected to receive a scholarship ~~shall~~ or campus employment must fulfill the following qualifications:

A. Show evidence of the qualifications necessary to complete a course of study successfully and to become a competent ~~technical or craft~~ worker in an industrial, administrative, technical or trade pursuit;

B. Show demonstrated ability and willingness to support the expenses of education and training; and

C. ~~Show~~ For scholarship recipients, show demonstrated need of financial assistance to help pay the cost of college attendance or, in the case of on-campus employment programs, demonstrate the ability to benefit from the increased engagement that such programs provide.

**Sec. 16. 20-A MRSA §12722, sub-§9** is enacted to read:

**9. Hardship distributions.** The board of trustees may make hardship distributions from any of the accumulated assets in a defined contribution retirement

plan account or accounts in accordance with federal regulations.

See title page for effective date.

**CHAPTER 180**

**H.P. 697 - L.D. 996**

**An Act To Maintain the Current Number of Appointees to the Maine Arts Commission**

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

**Sec. 1. 27 MRSA §401**, as corrected by RR 2011, c. 2, §34, is amended to read:

**§401. Commission**

A state commission, to be known as the "Maine Arts Commission," as established by Title 5, section 12004-G, subsection 7-B, must consist of not ~~less~~ more than 15 ~~or more than 21~~ members, each of whom must have a continuing interest in the fields of art and culture in the State, to be appointed by the Governor from among citizens of Maine. In making such appointments, due consideration must be given to the recommendations made by representative civic, educational and professional associations and groups concerned with or engaged in artistic and cultural fields generally.

See title page for effective date.

**CHAPTER 181**

**H.P. 620 - L.D. 871**

**An Act To Require Disclosures Relating to the Sale of Residential Property Accessible by a Public Way and Any Means Other than a Public Way**

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

**Sec. 1. 33 MRSA §173, sub-§4, ¶D**, as enacted by PL 1999, c. 476, §1, is amended to read:

D. Underground oil storage tanks as required under Title 38, section 563, subsection 6; ~~and~~

**Sec. 2. 33 MRSA §173, sub-§5**, as enacted by PL 1999, c. 476, §1, is amended to read:

**5. Known defects.** Any known defects; ~~and~~

**Sec. 3. 33 MRSA §173, sub-§6** is enacted to read:

6. Access to the property. Information describing the means of accessing the property by:

A. A public way, as defined in Title 29-A, section 101, subsection 59; and

B. Any means other than a public way, in which case the seller shall disclose information about who is responsible for maintenance of the means of access, including any responsible road association, if known by the seller.

See title page for effective date.

**CHAPTER 182**

**H.P. 877 - L.D. 1254**

**An Act To Amend the Law Regarding Super Cribbage Tournaments**

**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 must take effect before the expiration of the 90-day period to ensure the law regarding super cribbage tournaments is amended before September 30, 2017, allowing the law to remain in effect; 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. 17 MRSA §1836, sub-§4-A,** as enacted by PL 2015, c. 163, §1, is amended to read:

**4-A. Exception for super cribbage tournament.** Notwithstanding any provision of this section to the contrary, the Chief of the State Police may issue up to ~~3~~ **15** licenses per year for the conduct of a super cribbage tournament. For the purposes of this subsection, "cribbage" means a card game that uses a board and pegs to keep score and of which the characteristic feature is a crib into which players discard cards from their dealt hand to create a crib of 4 cards unseen by other players that will be ultimately part of the dealer's hand. The license fee for a super cribbage tournament is \$75. A super cribbage tournament must be conducted in the same manner as prescribed for a tournament game by this section except as follows.

A. The super cribbage tournament may be conducted by a nationally chartered organization that

organizes tournament-style cribbage games and that is exempt from taxation under the United States Internal Revenue Code, Section 501(c)(3) so long as the principal organizer has been a member of that organization for a period of not less than 3 years.

B. The minimum number of players required is ~~50~~ **30**.

C. The maximum entry fee allowed is \$100 per player.

D. The super cribbage tournament need not be held on premises owned by the licensee.

E. The super cribbage tournament may be conducted over a period of up to 72 hours.

F. Notwithstanding subsection 2, 50% of the proceeds of the super cribbage tournament after prizes are paid must be paid to a bona fide charitable organization, other than the licensee, listed on the tournament application submitted to the Chief of the State Police.

~~This subsection is repealed September 30, 2017.~~

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

Effective June 13, 2017.

**CHAPTER 183**

**H.P. 85 - L.D. 117**

**An Act To Strengthen the Farm and Open Space Tax Law**

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

**Sec. 1. 36 MRSA §1102, sub-§4, ¶C** is enacted to read:

C. A parcel of land that is located on an island may not be considered contiguous to another parcel of land that is not located on the same island if the parcels of land are separated by water at the normal high-water mark or high tide. A parcel of land located on an island that was included within a parcel classified as farmland before April 1, 2017 and that is excluded from classification as farmland under this paragraph must be considered as land classified as open space land unless the owner withdraws the land from classification under this subchapter.

See title page for effective date.

**CHAPTER 184**  
**H.P. 141 - L.D. 185**

**An Act To Establish a Pilot  
Project for Medicaid  
Reimbursement for  
Acupuncture Treatment of  
Substance Abuse Disorders**

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

**Sec. 1. 22-A MRSA §203, sub-§5** is enacted to read:

**5. Pilot projects.** The department shall develop pilot projects and demonstration projects required by law, and shall apply for any authorization necessary to undertake such projects.

**Sec. 2. Acupuncture pilot project.** By January 1, 2018, the Department of Health and Human Services and the department's office of substance abuse and mental health services shall apply for authorization from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to develop a pilot project in accordance with this section to treat alcohol abuse disorders, substance abuse disorders and co-occurring disorders using the National Acupuncture Detoxification Association auricular acupuncture protocol.

**1. Pilot project standards.** The treatment under the pilot project must be performed by project staff who have been trained to perform the National Acupuncture Detoxification Association auricular acupuncture protocol, who practice acupuncture within the scope of their license in this State and whose licenses to practice are in good standing. The Department of Health and Human Services and the department's office of substance abuse and mental health services shall consult with a statewide association of licensed acupuncturists to establish treatment standards that are consistent with the National Acupuncture Detoxification Association auricular acupuncture protocol.

**2. Patient limits and financing.** The pilot project must be limited to a finite number of patients determined by the Department of Health and Human Services and the department's office of substance abuse and mental health services and may last no longer than 2 years. Acupuncture treatment under the project must be reimbursable as allowed under the United States Social Security Act, Title XIX and it must be developed and implemented in a manner that ensures that it will be cost-neutral or will result in savings to the MaineCare program.

**3. Report.** The Department of Health and Human Services and the department's office of substance abuse and mental health services shall submit a report

on the results of the pilot project, including recommendations for continuing the project, to the joint standing committee of the Legislature having jurisdiction over health and human services matters at the conclusion of the pilot project.

See title page for effective date.

**CHAPTER 185**  
**H.P. 322 - L.D. 455**

**An Act Relating to the  
Provision of Nicotine  
Replacement Products by  
Pharmacists**

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

**Sec. 1. 32 MRSA §13702-A, sub-§28**, as amended by PL 2013, c. 308, §2, is further amended to read:

**28. Practice of pharmacy.** "Practice of pharmacy" means the interpretation and evaluation of prescription drug orders; the compounding, dispensing and labeling of drugs and devices, except labeling by a manufacturer, packer or distributor of nonprescription drugs and commercially packaged legend drugs and devices; the participation in drug selection and drug utilization reviews; the proper and safe storage of drugs and devices and the maintenance of proper records for these drugs and devices; the administration of vaccines licensed by the United States Food and Drug Administration that are recommended by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices, or successor organization, for administration to adults; the performance of collaborative drug therapy management; the responsibility for advising, when necessary or regulated, of therapeutic values, content, hazards and use of drugs and devices; the ordering and dispensing of over-the-counter nicotine replacement products approved by the United States Food and Drug Administration; and the offering or performing of those acts, services, operations or transactions necessary in the conduct, operation, management and control of a pharmacy.

See title page for effective date.

**CHAPTER 186**  
**H.P. 342 - L.D. 479**

**An Act To Inform Patients of  
the Dangers of Addicting  
Opioids**

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

**Sec. 1. 32 MRSA §2210, sub-§6** is enacted to read:

**6. Opioid medication policy.** No later than January 1, 2018, a health care entity that includes an individual licensed under this chapter whose scope of practice includes prescribing opioid medication must have in place an opioid medication prescribing policy that applies to all prescribers of opioid medications employed by the entity. The policy must include, but is not limited to, procedures and practices related to risk assessment, informed consent and counseling on the risk of opioid use. For the purposes of this subsection, "health care entity" has the same meaning as in Title 22, section 1718-B, subsection 1, paragraph B.

**Sec. 2. 32 MRSA §2600-C, sub-§6** is enacted to read:

**6. Opioid medication policy.** No later than January 1, 2018, a health care entity that includes an individual licensed under this chapter whose scope of practice includes prescribing opioid medication must have in place an opioid medication prescribing policy that applies to all prescribers of opioid medications employed by the entity. The policy must include, but is not limited to, procedures and practices related to risk assessment, informed consent and counseling on the risk of opioid use. For the purposes of this subsection, "health care entity" has the same meaning as in Title 22, section 1718-B, subsection 1, paragraph B.

**Sec. 3. 32 MRSA §3300-F, sub-§6** is enacted to read:

**6. Opioid medication policy.** No later than January 1, 2018, a health care entity that includes an individual licensed under this chapter whose scope of practice includes prescribing opioid medication must have in place an opioid medication prescribing policy that applies to all prescribers of opioid medications employed by the entity. The policy must include, but is not limited to, procedures and practices related to risk assessment, informed consent and counseling on the risk of opioid use. For the purposes of this subsection, "health care entity" has the same meaning as in Title 22, section 1718-B, subsection 1, paragraph B.

**Sec. 4. 32 MRSA §3657, sub-§6** is enacted to read:

**6. Opioid medication policy.** No later than January 1, 2018, a health care entity that includes an

individual licensed under this chapter whose scope of practice includes prescribing opioid medication must have in place an opioid medication prescribing policy that applies to all prescribers of opioid medications employed by the entity. The policy must include, but is not limited to, procedures and practices related to risk assessment, informed consent and counseling on the risk of opioid use. For the purposes of this subsection, "health care entity" has the same meaning as in Title 22, section 1718-B, subsection 1, paragraph B.

**Sec. 5. 32 MRSA §18308, sub-§6** is enacted to read:

**6. Opioid medication policy.** No later than January 1, 2018, a health care entity that includes an individual licensed under this chapter whose scope of practice includes prescribing opioid medication must have in place an opioid medication prescribing policy that applies to all prescribers of opioid medications employed by the entity. The policy must include, but is not limited to, procedures and practices related to risk assessment, informed consent and counseling on the risk of opioid use. For the purposes of this subsection, "health care entity" has the same meaning as in Title 22, section 1718-B, subsection 1, paragraph B.

See title page for effective date.

**CHAPTER 187**  
**S.P. 252 - L.D. 807**

**An Act Regarding  
Guardianships**

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

**Sec. 1. 18-A MRSA §5-204, sub-§(d)**, as enacted by PL 2005, c. 371, §2, is amended to read:

(d). The person or persons whose consent is required under subsection (b) do not consent, but the court finds by a preponderance of the clear and convincing evidence that there is a de facto guardian and a demonstrated lack of consistent participation by the nonconsenting parent or legal custodian of the unmarried minor. The court may appoint the de facto guardian as guardian if the appointment is in the best interest of the child.

See title page for effective date.

**CHAPTER 188**  
**S.P. 387 - L.D. 1166**

**An Act Regarding Anesthesia  
Care in Rural Maine**

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

**Sec. 1. 32 MRSA §2211** is enacted to read:

**§2211. Nurse anesthetist; authority**

**1. Definitions.** For purposes of this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Critical access hospital" has the same meaning as in Title 22, section 7932, subsection 10.

B. "Rural area" has the same meaning as in Title 22, section 5104, subsection 10.

**2. Authority generally.** A certified registered nurse anesthetist is responsible and accountable to a licensed physician or dentist for aspects of anesthesia practice that require execution of the medical regimen as prescribed by that physician or dentist, except as provided in subsection 3.

**3. Authority; critical access hospitals and rural hospitals.** In a critical access hospital or in a hospital located in a rural area, a certified registered nurse anesthetist may, in accordance with the bylaws and policies of the facility in which the certified registered nurse anesthetist is practicing, formulate and implement a patient-specific plan for anesthesia care, which may include:

A. A preanesthetic assessment;

B. Verification of informed consent;

C. Adjustments and corrective actions as indicated;

D. Ordering appropriate laboratory tests and diagnostic imaging tests in the preoperative period and immediate postoperative period; and

E. Ordering and prescribing prescription drugs in the preoperative period and immediate postoperative period in accordance with this paragraph. For controlled substances listed in United States Drug Enforcement Administration Schedules III, IIIN, IV and V, a certified registered nurse anesthetist may prescribe drugs only:

(1) For a supply of not more than 4 days, with no prescription refills; and

(2) For an individual for whom the certified registered nurse anesthetist has, at the time of the prescription, established a client or patient record.

**4. Rules.** The board shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 189**  
**H.P. 837 - L.D. 1200**

**An Act Relating to the  
Licensure of Physicians**

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

**Sec. 1. 32 MRSA §2581**, as amended by PL 2001, c. 492, §6, is further amended by adding after the 2nd paragraph a new paragraph to read:

The board may not require an applicant for initial licensure or license renewal as an osteopathic physician under this chapter to obtain certification from a specialty medical board or to obtain osteopathic continuous certification as a condition of licensure. For the purposes of this section, "osteopathic continuous certification" means a program that requires an osteopathic physician to engage in periodic examination, self-assessment, peer evaluation or other activities to maintain certification from a specialty medical board.

**Sec. 2. 32 MRSA §3271, sub-§2**, as amended by PL 2013, c. 355, §6, is further amended to read:

**2. Postgraduate training.** Each applicant who has graduated from an accredited medical school on or after January 1, 1970 but before July 1, 2004 must have satisfactorily completed at least 24 months in a graduate educational program accredited by the Accreditation Council on Graduate Medical Education, the Canadian Medical Association or the Royal College of Physicians and Surgeons of Canada. Notwithstanding other requirements of postgraduate training, an applicant is eligible for licensure when the candidate has satisfactorily graduated from a combined postgraduate training program in which each of the contributing programs is accredited by the Accreditation Council on Graduate Medical Education and the applicant is eligible for accreditation by the American Board of Medical Specialties in both specialties. Each applicant who has graduated from an accredited medical school prior to January 1, 1970 must have satisfactorily completed at least 12 months in a graduate educational program accredited by the Accreditation Council on Graduate Medical Education, the Canadian Medical Association or the Royal College of Physicians and Surgeons of Canada. Each applicant who has graduated from an accredited medical school on or after July 1, 2004 or an unaccredited medical school

must have satisfactorily completed at least 36 months in a graduate educational program accredited by the Accreditation Council on Graduate Medical Education, the Canadian Medical Association, the Royal College of Physicians and Surgeons of Canada or the Royal Colleges of England, Ireland or Scotland. An applicant who has completed 24 months of postgraduate training and has received an unrestricted endorsement from the director of an accredited graduate education program in the State is considered to have satisfied the postgraduate training requirements of this subsection if the applicant continues in that program and completes 36 months of postgraduate training. Notwithstanding this subsection, an applicant who is board certified by the American Board of Medical Specialties is deemed to meet the postgraduate training requirements of this subsection. Notwithstanding this subsection, in the case of subspecialty or clinical fellowship programs, the board may accept in fulfillment of the requirements of this subsection postgraduate training at a hospital in which the subspecialty clinical program, such as a training program accredited by the American Dental Association Commission on Dental Accreditation or its successor organization, is not accredited but the parent specialty program is accredited by the Accreditation Council on Graduate Medical Education.

The board may not require an applicant for initial licensure or license renewal as a physician under this chapter to obtain certification from a specialty medical board or to obtain a maintenance of certification as a condition of licensure. For the purposes of this subsection, "maintenance of certification" means a program that requires a physician to engage in periodic examination, self-assessment, peer evaluation or other activities to maintain certification from a specialty medical board.

See title page for effective date.

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## CHAPTER 190

### H.P. 860 - L.D. 1237

#### An Act To Require Insurance Coverage for Contraceptive Supplies

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

**Sec. 1. 24-A MRSA §2756, sub-§3** is enacted to read:

**3. Coverage of contraceptive supplies.** Coverage required under this section must include coverage for contraceptive supplies in accordance with the following requirements. For purposes of this section, "contraceptive supplies" means all contraceptive drugs, devices and products approved by the federal

Food and Drug Administration to prevent an unwanted pregnancy.

A. Coverage must be provided without any deductible, coinsurance, copayment or other cost-sharing requirement for at least one contraceptive supply within each method of contraception that is identified by the federal Food and Drug Administration to prevent an unwanted pregnancy and prescribed by a health care provider.

B. If there is a therapeutic equivalent of a contraceptive supply within a contraceptive method approved by the federal Food and Drug Administration, an insurer may provide coverage for more than one contraceptive supply and may impose cost-sharing requirements as long as at least one contraceptive supply within that method is available without cost sharing.

C. If an individual's health care provider recommends a particular contraceptive supply approved by the federal Food and Drug Administration for the individual based on a determination of medical necessity, the insurer shall defer to the provider's determination and judgment and shall provide coverage without cost sharing for the prescribed contraceptive supply.

D. Coverage must be provided for the furnishing or dispensing of prescribed contraceptive supplies intended to last for a 12-month period, which may be furnished or dispensed all at once or over the course of the 12 months at the discretion of the health care provider.

**Sec. 2. 24-A MRSA §2847-G, sub-§4** is enacted to read:

**4. Coverage of contraceptive supplies.** Coverage required under this section must include coverage for contraceptive supplies in accordance with the following requirements. For purposes of this section, "contraceptive supplies" means all contraceptive drugs, devices and products approved by the federal Food and Drug Administration to prevent an unwanted pregnancy.

A. Coverage must be provided without any deductible, coinsurance, copayment or other cost-sharing requirement for at least one contraceptive supply within each method of contraception that is identified by the federal Food and Drug Administration to prevent an unwanted pregnancy and prescribed by a health care provider.

B. If there is a therapeutic equivalent of a contraceptive supply within a contraceptive method approved by the federal Food and Drug Administration, an insurer may provide coverage for more than one contraceptive supply and may impose cost-sharing requirements as long as at least one

contraceptive supply within that method is available without cost sharing.

C. If an individual's health care provider recommends a particular contraceptive supply approved by the federal Food and Drug Administration for the individual based on a determination of medical necessity, the insurer shall defer to the provider's determination and judgment and shall provide coverage without cost sharing for the prescribed contraceptive supply.

D. Coverage must be provided for the furnishing or dispensing of prescribed contraceptive supplies intended to last for a 12-month period, which may be furnished or dispensed all at once or over the course of the 12 months at the discretion of the health care provider.

**Sec. 3. 24-A MRSA §4247, sub-§4** is enacted to read:

**4. Coverage of contraceptive supplies.** Coverage required under this section must include coverage for contraceptive supplies in accordance with the following requirements. For purposes of this section, "contraceptive supplies" means all contraceptive drugs, devices and products approved by the federal Food and Drug Administration to prevent an unwanted pregnancy.

A. Coverage must be provided without any deductible, coinsurance, copayment or other cost-sharing requirement for at least one contraceptive supply within each method of contraception that is identified by the federal Food and Drug Administration to prevent an unwanted pregnancy and prescribed by a health care provider.

B. If there is a therapeutic equivalent of a contraceptive supply within a contraceptive method approved by the federal Food and Drug Administration, a health maintenance organization may provide coverage for more than one contraceptive supply and may impose cost-sharing requirements as long as at least one contraceptive supply within that method is available without cost sharing.

C. If an individual's health care provider recommends a particular contraceptive supply approved by the federal Food and Drug Administration for the individual based on a determination of medical necessity, the health maintenance organization shall defer to the provider's determination and judgment and shall provide coverage without cost sharing for the prescribed contraceptive supply.

D. Coverage must be provided for the furnishing or dispensing of prescribed contraceptive supplies intended to last for a 12-month period, which may be furnished or dispensed all at once or over the course of the 12 months at the discretion of the health care provider.

**Sec. 4. Application.** The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2019. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

**Sec. 5. Exemption from review.** Notwithstanding the Maine Revised Statutes, Title 24-A, section 2752, this Act is enacted without review and evaluation by the Bureau of Insurance within the Department of Professional and Financial Regulation.

See title page for effective date.

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## CHAPTER 191

### H.P. 881 - L.D. 1269

#### An Act To Adjust the Procedure for Recounts in Certain Municipal Elections

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

**Sec. 1. 30-A MRSA §2531-B, first ¶,** as amended by PL 2011, c. 255, §7, is amended to read:

A recount for an election for municipal office must be performed by a municipal clerk or the clerk's designee pursuant to the provisions of Title 21-A, section 737-A and the rules adopted pursuant to Title 21-A, section 737-A, except that a written request for a recount must be filed with the municipal clerk within 7 business days after the election and the provisions of Title 21-A, section 737-A, subsections 1, 5 and 12 and the duties of the State Police do not apply to this section. Except for the municipal clerk or the municipal clerk's designee, an election official as defined in Title 21-A, section 1, subsection 14 or an official of a municipal police department performing an official duty in a recount, an employee or elected official of the municipality or a candidate in an election may not participate in a recount of that election under this section.

**Sec. 2. 30-A MRSA §2532,** as amended by PL 2011, c. 255, §8, is further amended to read:

#### §2532. Referendum recount procedure

In the case of a referendum, a recount must be granted upon written application of 10% or 100, whichever is less, of the ~~persons whose names were checked on the voting list at any town referendum or ballot question under section 2105 or 2528, or any city referendum~~ registered voters in the municipality. The time limits, rules and all other matters applying to candidates under section 2531-B apply equally to applicants for the recount. Except as otherwise provided

in this section, the method of conducting a referendum recount is governed by Title 21-A, section 737-A.

See title page for effective date.

## CHAPTER 192

### H.P. 890 - L.D. 1277

#### An Act To Require the Secretary of State To Inform Commercial Drivers about Human Trafficking Prevention

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

Sec. 1. 29-A MRSA §1253, sub-§6 is enacted to read:

**6. Human trafficking prevention; information.** A commercial driver's license issued or renewed by the Secretary of State must be accompanied by information that outlines how to recognize human trafficking and how to report human trafficking and includes a telephone number for a national human trafficking hotline.

See title page for effective date.

## CHAPTER 193

### S.P. 441 - L.D. 1289

#### An Act To Allow Voluntary Payments in Lieu of Taxes in the Unorganized Territory

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

Sec. 1. 30-A MRSA §7502, sub-§1, as amended by PL 2007, c. 541, Pt. F, §2, is further amended to read:

**1. Fund established.** There is established in each county one unorganized territory fund to which must be credited all receipts under Title 12, section 10203 and Title 36, sections 1487, 1505 and 1606 and 1612 and all other receipts that are allocated for municipal services in the unorganized territory, and from which all disbursements for municipal services in the unorganized territory are made.

Sec. 2. 36 MRSA §1612 is enacted to read:

**§1612. Payment in lieu of taxes in unorganized territory**

**1. Payment in lieu of taxes in unorganized territory.** An owner of property that is exempt from taxation under section 652 and is located in an un-

organized territory may make a voluntary payment in lieu of taxes to the State Tax Assessor.

**2. County unorganized territory fund.** The State Tax Assessor shall deposit a payment in lieu of taxes in subsection 1 into the county unorganized territory fund under Title 30-A, section 7502, subsection 1 of the county in which the property exempt from taxes is located.

See title page for effective date.

## CHAPTER 194

### H.P. 802 - L.D. 1139

#### An Act To Clarify Certain Right-of-way Limitations

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

Sec. 1. 33 MRSA §459 is enacted to read:

**§459. Easements and rights-of-way; installation of docks**

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

A. "Dock" means a platform used for access to a water body or to secure, protect and provide access to a boat or ship. The platform may extend from a shore over the water body or may be a floating platform attached to a mooring.

B. "Easement or right-of-way" means the right of a person to pass over the land of another person.

C. "Water body" means all inland and coastal waters, including but not limited to all ponds, great ponds, lakes, rivers, streams and coastal waters.

**2. Easements or rights-of-way established on or after January 1, 2018.** The owner of an easement or right-of-way leading to or touching upon a water body does not have the right by implication to construct a dock on the easement or right-of-way or use the easement or right-of-way to facilitate the construction of a dock on the water body if:

A. The easement or right-of-way is originally established in a written instrument executed on or after January 1, 2018; and

B. The instrument granting or reserving the easement or right-of-way does not expressly include the right to construct a dock on the easement or right-of-way or the right to use the easement or right-of-way to facilitate the construction of a dock on the water body.

See title page for effective date.

**CHAPTER 195**  
**H.P. 805 - L.D. 1142**

**An Act To Repeal the Laws  
Establishing the Cumberland  
County Recreation Center and  
To Transfer Authority to  
Cumberland County**

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

**Sec. 1. 30-A MRSA §741-A, first ¶**, as enacted by PL 1995, c. 380, §4 and affected by §10, is amended to read:

Notwithstanding sections 701 and 702, the county commissioners working in conjunction with the Cumberland County Budget Advisory Committee, established in this section, and the county manager, established in section 82, subsection 5, are responsible for establishing the county budget as provided in this article, except for the Cross Insurance Arena budget as provided in section 747. The county commissioners shall appropriate money for county expenditures according to the budget established in accordance with this article.

**Sec. 2. 30-A MRSA §747** is enacted to read:

**§747. Board of Trustees of Cross Insurance Arena; budget**

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

A. "Board of trustees" or "board" means the Board of Trustees of the Cross Insurance Arena established in subsection 2.

B. "County commissioners" means the commissioners of Cumberland County.

C. "Cross Insurance Arena" or "arena" means the multipurpose arena located in the City of Portland and created pursuant to former Private and Special Law 1971, chapter 86.

**2. Board of trustees established.** The Board of Trustees of the Cross Insurance Arena is established to develop, review and make recommendations to the county commissioners on financial, contractual and policy issues regarding the Cross Insurance Arena. The board of trustees consists of 9 members appointed by the county commissioners as follows:

A. Two members from the City of Portland;

B. One member from each of the following sets of municipalities:

(1) South Portland and Cape Elizabeth;

(2) Scarborough, Westbrook and Falmouth;

(3) Gorham, Windham, Standish, Baldwin and Sebago;

(4) Brunswick, Freeport, Harpswell, Pownal and New Gloucester; and

(5) Yarmouth, Cumberland, North Yarmouth, Gray, Casco, Raymond, Naples, Harrison and Bridgton; and

C. Two members at large.

Trustees are appointed for a term of 3 years and may not serve more than 2 consecutive terms.

**3. Duties of the board of trustees.** The board of trustees shall propose and recommend policies and procedures for the arena. The board shall develop, present and review the budget of the arena. The board shall prepare and present an annual budget for the arena to the county commissioners for approval and adoption by the commissioners, in accordance with subsection 4. If the county commissioners increase or decrease the overall budget for the arena from the level presented by the board, the board shall adjust individual budget items as necessary within the limits of the adopted budget. The board shall meet monthly or as needed to complete its work.

**4. Budget adoption.** The county commissioners shall adopt the budget of the Cross Insurance Arena, an enterprise fund under the oversight of the county commissioners, and shall act as funding authority for the operations of the arena. The county commissioners may increase or decrease the overall budget of the arena that is presented by the board pursuant to subsection 3, but the commissioners may not otherwise alter or amend the arena budget presented by the board. The county commissioners shall meet with the board as needed, but no less than annually, to address the needs of the arena.

**Sec. 3. P&SL 1971, c. 86**, as amended by P&SL 1991, c. 36, is repealed.

**Sec. 4. Transition provisions.** The following provisions govern the transition of the Cumberland County Recreation Center, created by former Private and Special Law 1971, chapter 86, to Cumberland County.

1. Cumberland County is the successor in every way to the powers, duties, functions, property, assets and liabilities of the Cumberland County Recreation Center, referred to in this section as "the center."

2. All existing rules, regulations and procedures of the center continue in effect unless rescinded, revised or in conflict with Cumberland County rules and regulations or amended by the county commissioners of Cumberland County.

3. All existing contracts, agreements and obligations of the center, including bonds or other debt instruments and management agreements, continue in

effect, and the rights and obligations of the center become the rights and obligations of Cumberland County.

4. The trustees of the center shall serve as the initial members of the Board of Trustees of the Cross Insurance Arena established in the Maine Revised Statutes, Title 30-A, section 747 until their current terms expire.

5. All real and personal property of the center, including but not limited to fixtures, records and equipment owned or leased by the center, is transferred to and becomes the property of Cumberland County. The transfer of real and personal property may not occur earlier than January 1, 2018 and must be approved by the county commissioners of Cumberland County and the Board of Trustees of the Cross Insurance Arena.

See title page for effective date.

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## CHAPTER 196

### H.P. 888 - L.D. 1275

#### An Act To Amend and Remove the Need for Periodic Update of the Laws Governing the Validation of Title Defects

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

**Sec. 1. 33 MRSA §352**, as amended by PL 2015, c. 157, §1, is further amended to read:

#### §352. Defective acknowledgments

A record of a deed or other instrument, including a power of attorney, made ~~prior to January 1, 2013~~ for the conveyance of real property, or of any interest in ~~the real~~ property, and recorded for at least 2 years in the registry of deeds of the county or district in which the real property is located is valid and enforceable even if:

**1. Acknowledgment.** The acknowledgment: was incomplete or defective in any respect, no acknowledgment appears in the record of the deed, other instrument or power of attorney or no acknowledgment was taken; or

~~A. Was not completed;~~

~~B. Was erroneously taken;~~

~~C. Was taken by a person not having authority to take the acknowledgment or the authority of the person taking the acknowledgment was not completely stated or was erroneously stated;~~

~~D. Does not reveal whether the authority taking the acknowledgment acted as a notary public, a justice of the peace or other duly authorized authority for the taking of the acknowledgment;~~

~~E. Was not taken;~~

~~F. Had not been signed by the authority taking the acknowledgment but the authority had attached, affixed or stamped the deed or instrument with a seal of authority;~~

~~G. Was taken by the grantor or grantee or by the husband or wife of the grantor or grantee;~~

~~H. Was taken by a magistrate who was a minor or an interested party or whose term of office had expired at the time of the acknowledgment;~~

~~I. Was taken by an officer authorized to take an acknowledgment but outside the territory in which the officer was authorized to act;~~

~~J. Was taken by a person who, at the time of the acknowledgment, had received an appointment, election or permission authorizing that person to take the acknowledgment, but had not qualified and who has since qualified to take an acknowledgment;~~

~~K. Was authorized by the grantor who was acting as a duly authorized agent or officer of a corporation or in a fiduciary or representative capacity for a corporation;~~

~~L. Was taken in another state or country before a person authorized to take acknowledgments and was made on the form of acknowledgment prescribed by the laws of the state or country in which the deed or instrument was executed or the person taking the acknowledgment failed to affix a proper certificate to the deed or instrument, showing that person's authority to act as a magistrate;~~

~~M. Was not signed by a magistrate of this State or any other state or territory of the United States, or any foreign country, authorized to take an acknowledgment but was complete in every other respect and was signed by an ambassador, minister, charge d'affaires, consul, vice consul, deputy consul, consul general, vice consul general, consular agent, vice consular agent, commercial agent or vice commercial agent of the United States who was not qualified to take an acknowledgment, but has since become qualified by law to do so;~~

~~N. Was signed by a magistrate authorized to take an acknowledgment but the magistrate's official seal, the names of the grantors, the date and place of acknowledgment, the words "personally appeared before me" or a statement that it was ac-~~

knowledge as the grantor's "free act and deed" had been omitted; or

~~O. Is in the form of an oath or states merely that the deed or instrument was subscribed in the magistrate's presence, or is otherwise informal or incomplete, but was signed by a magistrate authorized to take an acknowledgment; or~~

## 2. Records relating to title to real property.

The records in relating to the title to real property fail to disclose the date when received for record or the records have not been signed by the register of deeds or other duly authorized recording officer for the county or district.

**Sec. 2. 33 MRSA §353-A**, as amended by PL 2015, c. 157, §2, is further amended to read:

### §353-A. Miscellaneous defects

**1. Omission of consideration; failure to seal.** A deed or other instrument, including a power of attorney, ~~whenever made prior to January 1, 2013~~ for the conveyance of real property, or any interest in real property, in this State and otherwise valid, except that the deed or instrument does not state any consideration for the real property or was not sealed by the grantors, is valid.

**2. Discharge or assignment of mortgage.** A duly recorded satisfaction piece or instrument made ~~prior to January 1, 2013~~ and recorded for at least 2 years in the registry of deeds of the county or district in which the real property is located with the intent to cancel and discharge or assign a mortgage of real estate, fully identifying the mortgage intended to be canceled and discharged or assigned, but not drawn in accordance with statutory requirements is considered valid.

**3. Corporations and other entities organized or attempted to be organized; validation of deeds and other instruments.** A corporation or other legal entity organized or attempted to be organized under the laws of this State for more than 20 years ~~prior to January 1, 2013~~ and not yet declared to be invalid ~~prior to January 1, 2013~~ is for all intents and purposes a lawful corporation or other legal entity as applicable. The deeds or other instruments of the corporation or other legal entity, given in its corporate or other legal entity name, that affect or convey real estate or any interest in the real estate and that ~~prior to January 1, 2013~~ have been recorded for at least 2 years in the registry of deeds in the county where the real estate is located may not be held invalid by reason of:

A. The lack of authority for or informality in their execution or delivery if executed or delivered in good faith by the acting officers or other authorized officials or members of the corporation or other legal entity as applicable;

B. The failure to disclose the corporation's or other legal entity's authority for the conveyance of real estate;

C. The failure to bear the ~~corporate~~ seal of the corporation or other legal entity;

D. A person executing or acknowledging a deed or instrument in that person's individual capacity;

E. The failure to disclose the official capacity of the person executing the deed or instrument; or

F. The failure of the duly authorized ~~corporate~~ officer to sign the deed or instrument.

**4. Omission of authorization for conveyance of real estate.** A deed or other instrument for the conveyance of real property, or any interest in the real property executed by a person or persons purporting to act as the agent or attorney of the grantors or their spouses, that has been recorded for at least 20 years in the registry of deeds ~~for~~ of the county or district in which the real property is located ~~more than 40 years prior to January 1, 2013~~ is valid even if no power of attorney authorizing and empowering an agent or attorney to make the conveyance or execute and deliver the deed or instrument appears of record, but the real property has in the meantime been occupied, claimed or treated by the grantees or their heirs, successors or assigns as their own property.

**5. Discharge of mortgage.** An instrument that has been recorded or written or recorded on the record in the registry of deeds ~~more than 40~~ of the county or district in which the real property is located for at least 20 years ~~prior to January 1, 2013~~ that is signed or executed by a person or persons purporting to act as the agent or attorney of a mortgagee of real estate and purporting to discharge the mortgage is valid even if no power of attorney authorizing an agent or attorney appears of record.

**6. Failure to secure bond or comply with licensing.** In all cases in which an executor, administrator, personal representative, guardian, conservator, trustee, master, receiver or similar officer has been authorized or ordered by a court of probate or other court to distribute, sell or exchange real estate and has distributed, sold or exchanged the real estate, or any interest in the real estate, in accordance with the authority, without first having filed a bond covering the faithful administration and distribution of the sale estate when a bond was required by law or has failed to comply with any other prerequisite for the issuance of the license authorizing the distribution, sale or exchange and has given a deed to the distributee or purchaser of the real estate or to the person with whom an exchange was authorized or ordered or when the executor, administrator, personal representative, guardian, conservator, trustee, master, receiver or other officer appointed has acted in that capacity under a decree of any court appointing that person to the office, but

the decree of appointment erroneously or inadvertently excused the person from giving bond in that capacity when a bond was required by law and was not in fact given, the deeds and acts previously done are valid.

**7. Foreclosure by publication.** In all cases of foreclosure of real estate mortgages by publication, a certificate of the publication of foreclosure made by the mortgagee or by an officer, member, partner or other authorized representative of the mortgagee, if the mortgagee is a corporation or other legal entity, or made by an officer or employee of the newspaper that published the notice recorded ~~on or before January 1, 2013~~ in the registry of deeds of the county or district in which the real property is located is prima facie evidence of the publication of foreclosure to the same extent as if the certificate had in fact been made by the register of deeds and recorded; certificates made by the mortgagee or by an officer, member, partner or other authorized representative of the mortgagee, if the mortgagee is a corporation or other legal entity, or made by an officer or employee of the newspaper that published the notice recorded ~~on or before January 1, 2013~~ in the registry of deeds of the county or district in which the real property is located have the same force and effect as if made by the register of deeds and are valid.

**8. Foreclosure by civil action.** All foreclosures commenced on or after October 1, 1975 of real estate mortgages executed on or prior to October 1, 1975 using the method of foreclosure set forth in Title 14, sections 6321 to 6324 for which the period of redemption allowed was not less than one year and that would be valid but for the date of execution of the mortgage are valid and effective according to their terms.

**9. Abstracts of divorce decrees.** An abstract of a divorce decree recorded in any registry of deeds ~~prior to March 24, 1987~~ on or after August 20, 1955 and otherwise valid that failed to state the residence of any party to the divorce action is valid and has the force and effect of a quitclaim deed releasing all interest in the real estate described in the decree or abstract.

**Sec. 3. 33 MRSA §353-B**, as enacted by PL 1981, c. 181, §4 and amended by PL 2011, c. 682, §38, is further amended to read:

**§353-B. Defects in plats**

Any plats of a subdivision approved by the municipal officers of the municipality in which the land is located; that have been recorded prior to January 1, 1970 for at least 2 years in the registry of deeds for the county or district in which the land is located and otherwise valid, except that the same were not approved by a planning board pursuant to the 1944 Revised Statutes, chapter 80, section 85, as amended, the 1954 Revised Statutes, chapter 91, section 94, as amended, the 1954 Revised Statutes, chapter 90-A, section 61, as amended, or the 1964 Revised Statutes, Title 30, sec-

tion 4956, as amended, or by the municipal reviewing authority pursuant to Title 30-A, section 4403, as amended, are validated.

Any plat or subdivision approved by the planning board of the municipality in which the land is located; that has been recorded prior to January 1, 1970 for at least 2 years in the registry of deeds for the county or district in which the land is located and otherwise valid, except that the same ~~were~~ was not approved by the municipal officers pursuant to the 1944 Revised Statutes, chapter 80, section 85, as amended, the 1954 Revised Statutes, chapter 91, section 94, as amended, the 1954 Revised Statutes, chapter 90-A, section 61, as amended, or the 1964 Revised Statutes, Title 30, section 4956, as amended, are or by the municipal reviewing authority pursuant to Title 30-A, section 4403, as amended, is validated.

Any plats of a subdivision approved by the planning board or by the municipal officers of the municipality or by both in which the land is located; that have been recorded prior to January 1, 1970 in the registry of deeds for the county or district in which the land is located and otherwise valid, except that the approval is not noted thereon pursuant to the 1944 Revised Statutes, chapter 80, section 85, as amended, the 1954 Revised Statutes, chapter 91, section 94, as amended, the 1954 Revised Statutes, chapter 90-A, section 61, as amended, ~~or~~ the 1964 Revised Statutes, Title 30, section 4956, as amended, or Title 30-A, section 4403, as amended, are validated, ~~provided that if~~ the approval by the appropriate board can be substantiated by affidavit recorded in the registry of deeds for the county or district in which the land is located, the recording of the affidavit to be noted on the plat.

Any deed or other instrument for the conveyance of real property or any interest therein in the unorganized or deorganized territory, including plantations, in this State, ~~which that~~ that was otherwise validly made or placed on record, except that it was made in violation of Title 12, section 687, as enacted by the Public Laws of 1969, chapter 494 and repealed by the Public Laws of 1971, chapter 457, section 7 ~~or~~, made in violation of Title 12, section 685-B, subsection 6, as enacted by the Public Laws of 1971, chapter 457, section 5 and amended by the Public Laws of 1971, chapter 544, section 28-G, or made in violation of Title 12, section 685-B, subsection 6-A as enacted by Public Law 1991, chapter 687, section 2 and amended by Public Law 2001, chapter 431, section 4, is validated. All structures on land in the unorganized or deorganized territory, including plantations, ~~which that~~ that are not otherwise nuisances, ~~shall~~ may not be deemed to be nuisances merely because they are located upon land conveyed by deed or other instrument ~~which that~~ that lacked

evidence of the approval of the Maine Land Use Regulation Commission or the Maine Land Use Planning Commission, as applicable, thereon.

See title page for effective date.

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**CHAPTER 197**  
**S.P. 190 - L.D. 575**

**An Act To Improve the  
Enforcement of Maine's  
Lobster 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**, conduct that is prohibited under the marine resources laws threatens the sustainability of Maine's fisheries and the lobster industry particularly; and

**Whereas**, providing the Bureau of Marine Patrol broader enforcement options and deterring conduct that is detrimental to the sustainability of marine fisheries is necessary before the summer fishing season begins; and

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

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

**Sec. 1. 12 MRSA §6351, sub-§1, ¶¶B-2 and B-3** are enacted to read:

B-2. A conviction for a violation of Title 17-A, section 802 that is directly related to an activity for which a lobster and crab fishing license is required;

B-3. A conviction for a violation of Title 17-A, section 805 that is directly related to an activity for which a lobster and crab fishing license is required;

**Sec. 2. 12 MRSA §6371, sub-§3**, as amended by PL 2011, c. 311, §1, is repealed and the following enacted in its place:

**3. Suspension for violations.** Except as provided in subsections 1 and 2, the commissioner may suspend any licenses or certificates issued under this Part on the following grounds:

A. Violation of any section of marine resources laws or rules adopted under this Part;

B. The commission of conduct as provided in subsection 4; or

C. Setting fire to, sinking or damaging a vessel used to carry out the activities authorized under a lobster and crab fishing license to such an extent that the vessel cannot be used to carry out those activities by the person who has that vessel named on the person's lobster and crab fishing license.

**Sec. 3. 12 MRSA §6371, sub-§4** is enacted to read:

**4. Suspensions for certain violations of Title 17-A.** Conduct that would constitute a violation of any of the following provisions is grounds for suspension under section 6374 of any licenses or certificates issued under this Part:

A. Title 17-A, section 353, when the offense is directly related to an activity for which a lobster and crab fishing license is required;

B. Title 17-A, section 359, when the offense is directly related to an activity for which a lobster and crab fishing license is required;

C. Title 17-A, section 751, when the offense is committed against a marine patrol officer while that officer is engaged in the performance of official duty;

D. Title 17-A, section 752-A, when the offense is committed against a marine patrol officer while that officer is engaged in the performance of official duty;

E. Title 17-A, section 753, when the offense is directly related to an investigation by the Bureau of Marine Patrol;

F. Title 17-A, section 754, when the offense is directly related to an investigation by the Bureau of Marine Patrol;

G. Title 17-A, section 802, when the offense is directly related to an activity for which a lobster and crab fishing license is required;

H. Title 17-A, section 805, when the offense is directly related to an activity for which a lobster and crab fishing license is required; or

I. Title 17-A, sections 207, 209, 210, 210-A or 211, when the offense is committed against a marine patrol officer or a family member of a marine patrol officer as a result of the marine patrol officer performing what the license holder knows or has reason to know are the marine patrol officer's official duties. As used in this paragraph, "family member" means a spouse, brother, sister, son-in-law, daughter-in-law, parent by blood, parent by adoption, mother-in-law, father-in-law, child by blood, child by adoption, stepchild, stepparent, grandchild or grandparent.

**Sec. 4. 12 MRSA §6374**, as amended by PL 2015, c. 172, §§4 and 5, is further amended to read:

**§6374. Procedure for suspending without criminal conviction or civil adjudication**

~~Except as provided in section 6371, subsections 1 and 2, the~~ The procedure for suspending a license or certificate ~~for a violation of marine resources law without a criminal conviction or civil adjudication under section 6371, subsections 3 and 4~~ is governed by this section.

**1. Initiation and notice.** If the Chief of the Bureau of Marine Patrol delivers to the commissioner a written statement under oath that the chief has probable cause to suspect that a violation of marine resources law or conduct described in section 6371, subsection 4 has been committed, the commissioner shall immediately examine the affidavit and determine if a suspension is necessary. If the commissioner determines based on a preponderance of the evidence that a suspension is necessary, the commissioner shall immediately notify in writing the person who violated the law or engaged in the conduct. The notice must state that there is an opportunity for a hearing, if the person requests the hearing in writing within 10 days of the notice. The notice is deemed received 3 days after the mailing. The commissioner may suspend the license or certificate of a person who has been notified pursuant to this subsection but who does not request a hearing within the allowed time.

**2. Hearing.** A hearing requested under subsection 1 must be held within 30 business days after receipt by the commissioner of a request for hearing except that a hearing may be held more than 30 business days after the request if the delay is requested by the person requesting the hearing. If the hearing is continued, it must be held no later than 60 days after the original notice, and any further continuance must be with the consent of both parties. The hearing must be held in accordance with the Maine Administrative Procedure Act, except that:

A. Notwithstanding Title 5, section 9057, issues of the hearing are limited to whether the person requesting the hearing had a license or certificate and whether that person committed a violation of marine resources law or conduct described in section 6371, subsection 4; and

B. Notwithstanding Title 5, section 9061, the decision of the presiding officer under Title 5, section 9062 must be made not more than 10 business days after completion of the hearing.

If the presiding officer of the hearing finds that a violation of marine resources law or conduct described in section 6371, subsection 4 has been committed, the presiding officer shall immediately notify the commissioner of the finding.

**3. Finding of violation and suspension.** ~~If the presiding officer of the hearing under subsection 2 finds that a violation of marine resources law has been committed, the presiding officer shall immediately notify the commissioner of the finding, and the~~ The commissioner may suspend the license or certificate of the person requesting the hearing under subsection 2 if the presiding officer of the hearing finds that a violation of marine resources law or conduct described in section 6371, subsection 4 has been committed. Except as provided in this subsection and subsection 3-A, the length of the suspension of the license or certificate may not exceed:

A. One year from the date of a first finding of a violation or finding that conduct described in section 6371, subsection 4 has been committed;

B. Two years from the date of a 2nd finding of a violation or finding that conduct described in section 6371, subsection 4 has been committed; or

C. Three years from the date of a 3rd or subsequent finding of a violation or finding that conduct described in section 6371, subsection 4 has been committed.

The commissioner may suspend any license or certificate for a period of time not to exceed the maximum amount of time allowable for a criminal conviction or civil adjudication of the same violation.

**3-A. Finding of violation and suspension; specific violations.** The length of a suspension of a license or certificate under this section for the following violations or conduct is:

A. Not less than 2 years and not more than 6 years from the date of a first finding of a violation, not less than 2 years and not more than 10 years from the date of a 2nd violation and permanent for a 3rd violation of section 6434;

B. Not less than 3 years and not more than 10 years from the date of a first finding of a violation and permanent for a 2nd violation of section 6431-F, subsection 4;

C. Not less than 3 years and not more than 10 years from the date of a first finding of a violation and permanent for a 2nd violation of section 6432, subsection 2, paragraph B;

D. Not less than 4 years from the date of a finding of a violation of section 6438-A; and

E. Permanent for conduct that is grounds for suspension under section 6371, subsection 3, paragraph C.

**4. Prohibition against multiple suspensions.** If the commissioner suspends a license or certificate under this section, the commissioner may not suspend the license or certificate because of a criminal conviction or civil adjudication for the same violation.

**5. Appeal.** A decision of the commissioner to suspend a license or certificate pursuant to this section may be appealed to the Superior Court if it is filed with the court within 30 days of the decision.

**6. Request for hearing on suspension length; place of hearing.** The license or certificate holder may request a hearing regarding the length of suspension under this section. A hearing must be requested in writing within 10 days from the effective date of the suspension. The hearing 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.

**7. Vessel monitoring following suspension or revocation.** The commissioner may require a person whose lobster and crab fishing license was suspended or revoked pursuant to subsection 3-A or section 6402, 6402-D, 6402-E or 6404 or section 6371, subsection 3, paragraph C to install equipment that allows the department to track the geographic location of the vessel listed on that person's lobster and crab fishing license for a period immediately following the reinstatement of the license not to exceed the duration of the license suspension. Costs associated with equipment required to be installed under this subsection must be paid by the license holder.

**Sec. 5. 12 MRSA §6402**, as amended by PL 2009, c. 561, §13, is further amended to read:

**§6402. Suspension or revocation based on conviction of molesting**

The Notwithstanding section 6401, subsection 2, 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 adjudicated in court convicted of violating section 6434 for not less than 2 years and not more than 6 years from the date of a first conviction and not less than 2 years and not more than 10 years from the date of a 2nd conviction. This suspension is for 3 years from the date of adjudication. For a 3rd or subsequent adjudication conviction, the commissioner may shall permanently revoke the license holder's person's license or permit.

**1. Convictions for cutting lobster trap lines.** A person adjudicated convicted 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 adjudication conviction, the commissioner shall continue that license suspension until such time as that proof is received.

**Sec. 6. 12 MRSA §§6402-D and 6402-E** are enacted to read:

**§6402-D. Suspension or revocation based on conviction of fishing over trap limit**

Notwithstanding section 6401, subsection 2, the commissioner shall suspend the lobster and crab fishing license or nonresident lobster and crab landing permit of a person convicted of a violation of section 6431-F, subsection 4 for not less than 3 years and not more than 10 years from the date of a first conviction. For a 2nd conviction, the commissioner shall permanently revoke the person's license or permit.

**§6402-E. Suspension or revocation based on conviction of fishing sunken trap or trawl**

Notwithstanding section 6401, subsection 2, the commissioner shall suspend the lobster and crab landing license or nonresident lobster and crab landing permit of a person convicted of a violation of section 6432, subsection 2, paragraph B for not less than 3 years and not more than 10 years from the date of a first conviction. For a 2nd conviction, the commissioner shall permanently revoke the person's license or permit.

**Sec. 7. 12 MRSA §6404**, as amended by PL 2015, c. 172, §6, is further amended to read:

**§6404. Revocation based on conviction of scrubbing lobsters**

The commissioner ~~shall~~ may permanently revoke the lobster and crab fishing license, wholesale seafood license and the commercial fishing license of any license holder or the nonresident lobster and crab landing permit of a permit holder convicted in court of violating section 6438-A.

**Sec. 8. 12 MRSA §6413** is enacted to read:

**§6413. Reduction in trap limit after certain suspensions**

The commissioner may reduce the number of trap tags a person whose lobster and crab fishing license has been suspended pursuant to section 6374, subsection 3-A may purchase in the year following the suspension, except that if the person holds a Class I, Class II or Class III lobster and crab fishing license the person must be allowed to purchase at least 300 trap tags. For each following year, the license holder may purchase up to an increase of 100 trap tags each year as long as the total number purchased does not exceed the number of traps allowed under the lowest trap limit for the license or established by rule for the zones identified on that person's license pursuant to section 6446, subsection 1-A.

**Sec. 9. 12 MRSA §6431-B**, as amended by PL 2007, c. 201, §13, is repealed and the following enacted in its place:

**§6431-B. Tag system**

**1. Tag system established.** The commissioner shall establish by rule a lobster trap tag system under which lobster and crab fishing license holders and nonresident lobster and crab landing permit holders must purchase tags for the purpose of identifying and tracking traps. The rules must contain provisions for replacing lost tags. The commissioner may impose a per tag fee to cover the cost of trap tags, the costs of administering and enforcing a lobster trap tag system, the costs of management of the lobster fishery and the costs associated with lobster management policy councils and referenda pursuant to section 6447. Trap tag fees must be deposited in the Lobster Management Fund established under section 6431-C. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**2. Penalties.** A person who violates a rule adopted pursuant to subsection 1 commits:

A. A civil violation for which a fine of \$250 must be adjudged if the person fishes 25 or fewer traps that are not tagged in accordance with rules adopted pursuant to subsection 1; and

B. A Class D crime if the person fishes more than 25 traps that are not tagged in accordance with rules adopted pursuant to subsection 1.

**Sec. 10. 12 MRSA §6432, sub-§2,** as amended by PL 2011, c. 266, Pt. A, §11, is repealed and the following enacted in its place:

**2. Marking.** A lobster or crab trap or trawl must be marked by a lobster buoy as described in subsections 3 and 4. The buoy must be visible at the surface. A person may not:

A. Set, raise, lift or transfer any lobster trap or buoy unless it is clearly marked with the owner's lobster and crab fishing license number or the owner's nonresident lobster and crab landing permit number; or

B. Intentionally set or fish a lobster or crab trap or trawl in a manner that is designed to avoid detection that the trap or trawl has been set or fished.

**Sec. 11. 12 MRSA §6434, sub-§3-A,** as enacted by PL 2007, c. 283, §2, is amended to read:

**3-A. Penalty.** 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 Class D crime.

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

Effective June 14, 2017.

**CHAPTER 198****S.P. 556 - L.D. 1583****An Act To Amend the  
Electricians' Examining Board  
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,** this legislation removes an unnecessary statutory barrier that currently prevents individuals who are licensed as electricians in other jurisdictions from obtaining comparable licenses from the Electricians' Examining Board; and

**Whereas,** this legislation encourages qualified professionals to move to the State and contribute positively to the state 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 §4173, sub-§5,** 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:

**5. Where permit is not required.** The installation or alteration of electrical equipment in municipalities ~~which that~~ do not require a permit and in the unorganized territories is governed by Title 32, section ~~4402-B~~ **1102-C.**

**Sec. 2. 32 MRSA §1101,** as amended by PL 2011, c. 286, Pt. F, §§1 to 4; c. 290, §§1 and 2; c. 406, §1; c. 491, §14; and c. 650, §1, is further amended to read:

**§1101. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

**1. Apprentice electrician.** "Apprentice electrician" means an apprentice, ~~as defined in Title 26, section 3201, subsection 1,~~ who is engaged in a written agreement to work at and learn the trade of an electrician under the direct supervision of a licensed master, journeyman or limited electrician in an apprenticeship program registered pursuant to 29 Code of Federal Regulations, Section 29.3 (2016) with the United States Department of Labor, Office of Apprenticeship

or a state apprenticeship agency recognized by the Office of Apprenticeship.

**1-A. Electrical company.** "Electrical company" means a person, firm, corporation or partnership employing licensees engaged in the business of doing electrical installations.

**1-B. Board.** "Board" means the Electricians' Examining Board.

**2. Electrical installations.** "Electrical installations" means the installation, repair, alteration and maintenance of electrical conductors, fittings, devices and fixtures for heating, lighting, power purposes or heat activated fire alarms, intrusion alarms, energy management, telephone, telegraph, cable and closed circuit ~~closed-circuit~~ television, sound systems, ~~data transmission~~, conduit and raceway systems and electrically supervised manual fire alarms and sprinkler systems. "Electrical installations" includes complete installations related to photovoltaic, fuel cell and wind power generation systems. "Electrical installations" does not include the installation or repair of portable appliances and other portable electrical equipment, installation of which involves only the insertion of an attachment plug into a fixed receptacle outlet. It is the meaning and intent of this subsection that the word "portable" does not include or apply to any type of fixed electrically operated or driven equipment.

**3. Helper electrician.** "Helper electrician" means a person ~~making licensed to make~~ electrical installations in the employment of a licensed master electrician, limited electrician or electrical company and under the direct supervision of a licensed master, journeyman or limited electrician but who does not qualify under subsection 1.

**3-A. Journeyman-in-training electrician.** "Journeyman-in-training electrician" means a person making electrical installations in the employment of a licensed master electrician, limited electrician or electrical company and under the indirect supervision of a licensed limited or master electrician.

**4. Journeyman electrician.** "Journeyman electrician" means a person ~~making licensed to make~~ electrical installations in the employment and under the indirect supervision of a licensed master electrician, limited electrician or electrical company.

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

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

~~A. School administrative units; and~~

~~B. Nonprofit organizations.~~

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

**5. Limited electrician.** "Limited electrician" means a person ~~doing work to install and service the electrical work related~~ licensed to make electrical installations limited to a specific type of electrically operated equipment or to specific electrical installations only authorized by this license.

**6. Master electrician.** "Master electrician" means ~~an individual~~ a licensed person qualified under this chapter, ~~engaging in, or about to engage in;~~ the business of installing electrical wires, conduits, apparatus, fixtures and other electrical equipment. ~~The certificate must specify the name of the individual who is authorized to enter upon or engage in business as set forth in this chapter.~~

**8. Utility corporation.** "Utility corporation" means a utility that is not a public utility, as defined in Title 35-A, section 102, or a person, firm or corporation subject to the jurisdiction of the Federal Communications Commission.

**Sec. 3. 32 MRSA §1102, sub-§1-A, ¶B,** as enacted by PL 2011, c. 290, §3, is amended to read:

B. Installations of ~~mobile home~~ manufactured housing service equipment; and

**Sec. 4. 32 MRSA §1102, sub-§1-B,** as enacted by PL 2011, c. 290, §4, is amended to read:

**1-B. Aboveground electric lines.** Electrical work in connection with the construction, installation, operation, repair or maintenance of any aboveground

electric transmission line capable of operating at one kilovolt or more.

**Sec. 5. 32 MRSA §1102-B**, as amended by PL 2011, c. 286, Pt. B, §5 and Pt. F, §§6 to 8 and c. 290, §§7 and 8, is repealed.

**Sec. 6. 32 MRSA §§1102-C and 1102-D** are enacted to read:

**§1102-C. Permit; inspection of electrical installations**

**1. Permit required.** Except as otherwise provided in this section and in section 1102-D, a permit must be obtained from the board before an electrical installation may be performed.

**2. Application for permit.** An application for a permit must be submitted by a licensed master electrician or limited electrician on a form provided by the board together with any plans, specifications or schedules the board may require prior to making the electrical installation. If the board determines that the description of the electrical installation planned is in compliance with all applicable statutes, ordinances and rules, and a fee required under subsection 4 has been paid, the board shall issue a permit.

**3. Inspection required.** An inspection is required before electrical wiring is enclosed through the construction process. The licensed electrician performing the electrical installation shall notify a state electrical inspector, or the local municipal inspector if the municipality has an electrical inspector, when the installation is ready for inspection. The inspector shall determine whether the electrical installation complies with all applicable statutes, ordinances and rules. If the inspector determines that the electrical installation does not comply, the procedures set forth in section 1104 apply. A utility corporation must require proof of permit prior to connecting power to the electrical installation.

**4. Procedures and fees.** Pursuant to the Maine Administrative Procedure Act, the board may adopt procedures for applications for permits and the conduct of inspections under this section. The combined service fee for a permit and inspection must be paid with every application for a permit. The Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation shall adopt by rule a schedule of appropriate service fees, but in no event may any scheduled service fee exceed \$100. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

**5. Exceptions to the permitting requirement.** In addition to the exception for a single-family dwelling set forth in section 1102-D, a permit from the board is not required for:

A. An electrical installation in a single-family dwelling performed by a licensed electrician qualified under this chapter;

B. The electrical work and equipment employed in connection with the construction, installation, operation, repair or maintenance of any utility by a public utility, or by a contractor working on behalf of a public utility as set forth in section 1102, subsection 1-C, in rendering its authorized service or in any way incidental thereto;

C. The electrical work and equipment employed in connection with an aboveground electric transmission line described in section 1102, subsection 1-B;

D. Minor repair work, including the replacement of lamps, fuses, lighting fixtures, switches and sockets, the installation and repair of outlets, radio and other low-voltage equipment and the repair of service entrance equipment;

E. Electrical installations for which a permit and inspection are required by municipal resolution or ordinance under Title 30-A, section 4173;

F. Any electrical equipment and work, including construction, installation, operation, maintenance and repair in or about industrial or manufacturing facilities;

G. Any electrical equipment and work, including construction, installation, operation, maintenance and repair in, on or about other properties, equipment or buildings, residential or of any other kind, owned or operated by a person engaged in industrial or manufacturing operations provided that the work is done under the supervision of an electrical engineer or master electrician in the employ of that person;

H. Work performed by any person licensed under chapter 139 as an oil burner technician, subject to the restrictions of the license as issued;

I. Work performed by a person licensed under chapter 139 as a propane and natural gas installer, when installing propane and natural gas utilization equipment, subject to the restrictions of that person's license;

J. Work performed by a person licensed under chapter 49 as a plumber, except that this exception applies only to disconnection and connection of electrical conductors required in the replacement of water pumps and water heaters of the same or smaller size in residential properties; or

K. Work performed by a person licensed under chapter 69-C as a pump installer, except that this exception applies only to disconnection and connection of electrical conductors required in the replacement of water pumps of the same or smaller

size in residential properties and the installation of new water pumps and associated equipment of 3 horsepower or smaller.

**§1102-D. Single-family dwelling exception; certificate required**

**1. Exception.** A person may make an electrical installation in a newly constructed single-family dwelling that is occupied by that person and used solely as a single-family dwelling, or will be occupied by that person as the person's bona fide personal abode and used solely as a residence, as long as the electrical installation conforms to the standards of the National Electrical Code or other standards approved by the board and as long as the person applies for and receives a single-family dwelling certificate in accordance with this section.

**2. Application for single-family dwelling certificate.** An application for a single-family dwelling certificate must be made by the person that is using and occupying, or will use and occupy, the single-family dwelling solely as that person's bona fide personal abode and residence.

**3. Certification.** An electrical installation made pursuant to this section in a newly constructed single-family dwelling requires certification by a state electrical inspector or a local inspector, or a licensed master electrician or a licensed limited electrician in house wiring, prior to the activation of electricity by the utility company.

**4. Notification and inspection of single-family dwelling certificate required.** An inspection is required before the electrical wiring is enclosed by the construction process. The person making the electrical installation shall contact the state electrical inspector prior to the electrical installation. The person making the electrical installation shall also notify the state inspector when the electrical installation is ready for inspection. The inspector shall determine whether the electrical installation complies with all applicable statutes, ordinances and rules. If the inspector determines that the electrical installation does not so comply, the procedures set forth in section 1104 apply. A utility corporation must require proof of certification prior to connecting power to the electrical installation.

**5. Procedures and fees.** Pursuant to the Maine Administrative Procedure Act, the board may adopt procedures for applications for single-family dwelling certificates and the conduct of inspections under this section. The combined service fee for a certificate and inspection must be paid with every application for a certificate. The Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation shall adopt by rule a schedule of appropriate service fees, but in no event may any scheduled service fee exceed \$100. Rules adopted pursuant to this subsection are routine

technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

**Sec. 7. 32 MRSA §1103,** as amended by PL 2011, c. 420, Pt. M, §1 and affected by §7, is further amended to read:

**§1103. Municipal licenses not required; municipal permits**

A municipality, notwithstanding provisions in charters or ordinances to the contrary, may not require licensed electricians to be municipally licensed, and a municipality may not issue a permit for an electrical installation unless satisfied that the person applying for the permit complies with this chapter.

**Sec. 8. 32 MRSA §1104,** as amended by PL 2011, c. 559, Pt. A, §34, is further amended to read:

**§1104. State electrical inspectors**

State electrical inspectors have powers throughout the counties of the State similar to those of sheriffs in their respective counties, relating to enforcement of this chapter and rules adopted under this chapter. These powers are limited to the power to conduct investigations, issue citations, serve summonses and order corrections of violations in accordance with specific statutory authority.

**1. Complaint inspections.** 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 those buildings or premises.~~ 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 the electrical installation~~ 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 hold a hearing and 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~~ section 11001 by filing a petition for review within 48 hours of receipt of the order. The petition for review may be advanced on the docket and receive priority over other cases when the court determines that the interests of justice so require.

~~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. 9. 32 MRSA §1105, sub-§5**, as amended by PL 2007, c. 402, Pt. I, §5, is repealed.

**Sec. 10. 32 MRSA §1151, 2nd ¶**, as amended by PL 2007, c. 402, Pt. I, §6, is further amended to read:

~~The 7 members consist~~ board consists of: one master electrician experienced in low-energy electronics; one master electrician who is a bona fide member from organized labor classified as an inside electrician; one master electrician who is employed as a municipal electrical inspector; one master electrician from the education field; and one ~~person~~ master electrician experienced in ~~the any~~ electrical field, all of whom must have at least ~~10~~ 5 years of experience in the electrical field, ~~except that the latter 3 need not be active electricians at the time of their appointment~~; and 2 public members as defined in Title 5, section 12004-A.

**Sec. 11. 32 MRSA §1152**, as amended by PL 2003, c. 204, Pt. C, §1, is repealed.

**Sec. 12. 32 MRSA §1153-A**, as repealed and replaced by PL 2003, c. 204, Pt. C, §2, is amended to read:

### **§1153-A. Standards; installation**

All electrical installations must comply with the National Electrical Code that is adopted by rule by the board. The board shall establish by rule technical standards for the proper installation of electrical equipment. These standards must conform as nearly as practicable to the National Electrical Code, National Fire Protection Association standard #70. The installation of the electrical equipment must also comply with the applicable statutes of the State and all applicable ordinances, orders, rules and regulations of any city or town where the installation is being performed. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 13. 32 MRSA §1155-B, sub-§1, ¶A**, as enacted by PL 2007, c. 402, Pt. I, §10, is amended to read:

A. Any gross negligence, incompetency or misconduct in the performance of the work of making electrical installations. Continued failure to conform with applicable regulations of the National Electrical Code, National Electrical Safety Code or of other safety codes that have been approved by the American ~~National Standards Association~~ Institute or its successor or other organization approved by the board is prima facie evidence of that gross negligence and incompetency; and

**Sec. 14. 32 MRSA §1201**, as amended by PL 2011, c. 420, Pt. M, §5 and affected by §7, is further amended to read:

### **§1201. License required**

An electrical installation may not be made unless by an electrician ~~or other person~~ licensed by the board except as provided in this chapter.

**Sec. 15. 32 MRSA §1201-A, sub-§4**, as enacted by PL 2011, c. 286, Pt. F, §12, is amended to read:

**4. Low-energy installers.** Individuals or employees installing telephone, ~~telegraph~~, cable and closed-circuit television, data ~~communication~~ transmission and sound equipment;

**Sec. 16. 32 MRSA §1202**, as amended by PL 2011, c. 406, §2 and c. 420, Pt. M, §6 and affected by §7 and amended by c. 491, §15, is repealed.

**Sec. 17. 32 MRSA §1202-A** is enacted to read:

### **§1202-A. Issuance of licenses**

An applicant for licensure under this section shall submit an application with the required fee established under section 1203-A. A person licensed under this chapter must produce a copy of the license upon request of the state electrical inspector.

**1. Apprentice or helper electrician; scope of license.** The board may issue a license to an applicant for an apprentice electrician license or a helper electrician license.

A. An apprentice electrician who is licensed in accordance with this subsection and registered with an apprenticeship program may perform electrical installations under the direct supervision of a master electrician, journeyman electrician or limited electrician.

B. A helper electrician who is licensed in accordance with this subsection may make electrical installations under the direct supervision of a master electrician, journeyman electrician or limited electrician. A helper electrician must be employed by a supervising master electrician, limited electrician or electrical company.

**2. Journeyman electrician; scope of license.** The board may issue a license to an applicant for a journeyman electrician license.

A. A journeyman electrician may make electrical installations while employed by a supervising master electrician, limited electrician or electrical company. A person licensed under this subsection may supervise:

(1) Two helper electricians who are enrolled in, or have completed, a program of study consisting of 576 hours of education as approved by the board or from an accredited institution;

(2) Two apprentice electricians; or

(3) One helper electrician.

B. In order to obtain a license under this subsection, a person must first pass an examination approved by the board and provide evidence of having:

(1) Worked at least 8,000 hours in the field of electrical installations as a licensed helper electrician or apprentice electrician under the direct supervision of a master electrician, journeyman electrician or limited electrician or having at least 8,000 hours of work experience in electrical installations, and having completed a program of study consisting of 576 hours as approved by the board or from an accredited institution. The 576 hours must consist of 225 hours of required study, including an approved course of 45 hours in the current National Electrical Code, and 351 hours of elective study that is either composed of all trade-related electives or 225 hours of trade-related courses and 135 hours of degree-related courses;

(2) Graduated from an accredited regional applied technology high school 2-year electrical program, worked at least 8,000 hours in the field of electrical installations as a licensed helper electrician under the direct supervision of a master electrician, journeyman electrician or limited electrician and completed a course of 45 hours in the current National Electrical Code;

(3) Graduated from an accredited community college electrical program or a vocational-electrical program of a state department of corrections and having worked at least 8,000 hours in the field of electrical installations as a licensed helper electrician, under the direct supervision of a master electrician, journeyman electrician or limited electrician, and having completed a course of 45 hours in the current National Electrical Code. Graduates of a community college electrical program or a vocational-electrical program of a state department of corrections are credited 4,000 hours of work experience in electrical installations and are qualified to sit for the examination;

(4) Worked at least 8,000 hours as a licensed apprentice electrician in the field of electrical installations under the direct supervision of a master electrician, journeyman electrician or limited electrician, having completed a program of study comprising at least 576 hours prescribed in an apprenticeship program approved by the board and having completed a course of 45 hours in the current National Electrical Code. A licensed apprentice who has completed an approved apprenticeship program of study and has worked at least 4,000 hours as a licensed apprentice electrician is qualified to sit for the examination; or

(5) Comparable work experience or education or training, or a combination of work experience, education and training, completed within the State or outside the State, that is acceptable to the board.

**3. Journeyman-in-training electrician license; scope of license; professional qualifications.** The board may issue a license to an applicant for a journeyman-in-training electrician license.

A. A journeyman-in-training electrician may make electrical installations while employed by a supervising master electrician, limited electrician or electrical company. A journeyman-in-training electrician may not supervise other electricians.

B. In order to obtain a license under this subsection, a person must first pass an examination ap-

proved by the board and provide evidence of having:

(1) Completed at least 2,000 work hours in the field of electrical installations as a licensed helper electrician under the direct supervision of a master electrician, journeyman electrician or limited electrician; graduated from an accredited community college electrical program or a vocational-electrical program of a state department of corrections; and completed a course of 45 hours in the current National Electrical Code; or

(2) Comparable work experience or education or training, or a combination of work experience, education and training, completed within the State or outside the State, that is acceptable to the board.

**4. Master electrician license; scope of license; professional qualifications.** The board may issue a license to an applicant for a master electrician license.

A. A master electrician may make electrical installations without limitation. A master electrician is responsible for verifying the current licensure of all of that master electrician's employees, if licensure is applicable, prior to and during employment. Master electricians are responsible for any electrical installation they perform and for the electrical installations of individuals they supervise at the time of the electrical installations.

A master electrician may supervise 2 helper electricians who are enrolled in, or have completed, a program of study consisting of 576 hours of education as approved by the board or from an accredited institution; 2 apprentice electricians; or one helper electrician. Any helper electrician or apprentice electrician must be employed by a master electrician and be under the master electrician's supervision.

A master electrician may supervise an unlimited number of licensed journeyman electricians, journeyman-in-training electricians or limited electricians.

B. In order to obtain a license under this subsection, a person must first pass an examination approved by the board and provide evidence of having:

(1) Worked at least 12,000 hours in the field of electrical installations as a licensed helper electrician or apprentice electrician under the direct supervision of a master electrician, journeyman electrician or limited electrician, or worked at least 4,000 hours in the field of electrical installations as a journeyman electrician or journeyman-in-training electrician under the indirect supervision of a master

electrician or limited electrician and having completed a program of study consisting of 576 hours as approved by the board or from an accredited institution. The 576 hours must consist of 450 hours of required study, including a course of 45 hours in the current National Electrical Code and 126 hours of degree-related courses; or

(2) Comparable work experience or education or training, or a combination of work experience, education and training, completed within the State or outside the State, that is acceptable to the board.

C. A person who holds a journeyman or limited electrician license issued prior to July 1, 1987 is eligible to take the examination for a master electrician license if the person has completed the number of hours of work experience required by this subsection and has completed a 45-hour course in the current National Electrical Code.

**5. Limited electrician license; scope of license.** The board may issue a license to an applicant for a limited electrician license.

A. A limited electrician may only make electrical installations authorized by the specific limited license category. A limited electrician is responsible for verifying the current licensure of all employees, if licensure is applicable, prior to and during employment. Limited electricians are responsible for any electrical installation work they perform and for work of individuals they supervise at the time of electrical installation.

A limited electrician may supervise 2 helper electricians who are enrolled in, or have completed, a program of study consisting of 576 hours of education as approved by the board or from an accredited institution; 2 apprentice electricians; or one helper electrician. A limited electrician may supervise helper electricians or apprentice electricians only in the performance of electrical installations authorized by the limited electrician's specific limited license category.

B. In order to obtain a license under this subsection, a person must meet the following requirements, as applicable:

(1) A limited electrician in water pumps must provide evidence of having completed at least 135 hours of electrical education as approved by the board or from an accredited institution and provide evidence of 2,000 hours of work experience approved by the board in rules. A limited electrician in water pumps is restricted to performing electrical work between the branch circuit overcurrent device, the water pump and associated controls.

(2) A limited electrician in outdoor signs, including sign lighting, must provide evidence of having completed at least 135 hours of electrical education as approved by the board or from an accredited institution and provide evidence of 2,000 hours of work experience approved by the board in rules. The scope of this license does not include branch circuit wiring.

(3) A limited electrician in gasoline dispensing must provide evidence of having completed at least 135 hours of electrical education as approved by the board or from an accredited institution and provide evidence of 2,000 hours of work experience approved by the board in rules. A limited electrician in gasoline dispensers is restricted to performing electrical work between the branch circuit overcurrent device, the dispenser and associated controls.

(4) A limited electrician in traffic signals, including outdoor lighting of traffic signals, must provide evidence of having completed at least 135 hours of electrical education as approved by the board or from an accredited institution and provide evidence of 2,000 hours of work experience approved by the board in rules. A limited electrician in traffic signals is restricted to performing electrical work on traffic signals, including outdoor lighting of traffic signals and the traffic signal electrical service.

(5) A limited electrician in house wiring must provide evidence of having completed at least 225 hours of electrical education as approved by the board or from an accredited institution and provide evidence of 4,000 hours of work experience approved by the board in rules. A limited electrician in house wiring is restricted to performing electrical work in one-family dwellings and 2-family dwellings, including manufactured homes.

(6) A limited electrician in refrigeration must provide evidence of having completed at least 270 hours of electrical education as approved by the board or from an accredited institution and provide evidence of 6,000 hours of work experience approved by the board in rules. Graduates of a community college electrical program in refrigeration approved by the board or from an accredited institution are credited with 4,000 hours of work experience upon graduation. A limited electrician in refrigeration is restricted to performing electrical work between the branch circuit overcurrent device, the refrigeration equipment and associated controls.

(7) A limited electrician in low-energy electronics, including fire alarms, must provide evidence of having completed at least 270 hours of electrical education as approved by the board or from an accredited institution and provide evidence of 4,000 hours of work experience approved by the board in rules. A limited electrician in low-energy electronics is restricted to performing electrical work on low-energy electronics as supplied by Class I, II and III limited energy systems, all fire alarm systems and the dedicated branch circuit wiring.

(8) A limited electrician in crane wiring must provide evidence of having completed at least 135 hours of electrical education as approved by the board or from an accredited institution and provide evidence of 2,000 hours of work experience approved by the board in rules. A limited electrician in crane wiring is restricted to the installation of electrical equipment and wiring used in connection with cranes, mono-rail hoists, hoists and runways.

C. A person may be eligible for a limited electrician license by providing evidence of comparable work experience, education or training within the State or outside the State, acceptable to the board.

D. The board may adopt rules to establish standards in accordance with the Maine Administrative Procedure Act. The rules must allow the board to exercise its discretion to determine if a limited electrician license holder applying for a master electrician's license has adequate experience in all phases of electrical installation to take the examination.

**Sec. 18. 32 MRSA §1206**, as enacted by PL 1993, c. 636, §2, is amended to read:

### **§1206. Reciprocity**

The board shall issue a license to any person who files ~~a sworn~~ an application, who is licensed under the laws of another state or territory of the United States and who has been licensed and actively engaged in an electrician's work for a minimum of ~~6 years~~ 8,000 hours, as long as that state or territory has licensing standards and experience requirements at least equivalent to this State's and as long as that state or territory grants similar privileges to persons licensed under this chapter. Reciprocal licenses may not be denied on the basis of current residency.

Notwithstanding other provisions of this section, the board, upon receiving an application for a reciprocal license, may waive the 576 hours of study required for a journeyman or master license pursuant to section ~~4202~~ 1202-A. The board may require the applicant to submit such written evidence, ~~verified by oath~~, as it determines necessary to support the application.

Sec. 19. 32 MRSA §1207 is enacted to read:

**§1207. Electrical installations performed as part of an electrical education or state apprenticeship program**

**1. Installation as part of education or apprenticeship program.** A person licensed under this chapter as a master electrician who teaches an electrical course at a career and technical education center or at a community college in this State, through an apprenticeship program registered by the Department of Labor or provided by a state career and technical education region may have a maximum of 12 helper or apprentice electricians under that person's direct supervision while making electrical installations that are a part of the instructional program of the school or apprenticeship program. An electrical installation may not be commenced pursuant to this section without the prior approval of the director or president of the school or program at which the master electrician is an instructor. Electrical installations authorized under this section are limited to those in buildings or facilities owned or controlled by:

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

**2. Notification; inspection.** The board and the municipal electrical inspector of the municipality in which the electrical installation is to be made, if the municipality has an inspector, must be notified of all electrical installation projects pursuant to this section prior to the commencement of the projects. There must be an inspection by a state electrical inspector or by the municipal electrical inspector of the municipality in which the electrical installation has been made, if the municipality has an inspector, before any wiring on the project is concealed.

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

Effective June 14, 2017.

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**CHAPTER 199**

**S.P. 133 - L.D. 406**

**An Act To Amend the Law  
Regarding Joint Use of  
Certain Utility and  
Telecommunications  
Infrastructure**

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

**Sec. 1. 35-A MRSA §711**, as amended by PL 2011, c. 623, Pt. B, §4, is further amended to read:

**§711. Joint use of equipment**

**1. Joint use permitted.** The commission may order that joint use be permitted and prescribe reasonable compensation and reasonable terms and conditions for the joint use when, after a hearing had upon its own motion or upon complaint of a public utility, voice service provider, dark fiber provider, wholesale competitive local exchange carrier or cable television system joint use entity affected, it finds the following:

A. That public convenience and necessity require the use by one public utility, voice service provider, dark fiber provider, wholesale competitive local exchange carrier or cable television system of the conduits, subways, wires, a joint use entity to provide nondiscriminatory access to any poles, pipes or other equipment, or any part of them, on, over or under any street or highway and belonging to another public utility, voice service provider, dark fiber provider, wholesale competitive local exchange carrier or cable television system ducts, conduits or rights-of-way owned or controlled by another joint use entity;

B. That joint use will not result in irreparable injury to the owner or other users of the conduits, subways, wires, poles, pipes poles, ducts, conduits or other equipment rights-of-way or in any substantial detriment to the service; and

C. That the public utilities, voice service provider, dark fiber provider, wholesale competitive local exchange carrier or cable television system joint use entities have failed to agree upon the use or the terms and conditions or compensation for the use; and

D. That the joint use entity seeking access to the poles, ducts, conduits or rights-of-way owned or controlled by another joint use entity has the technical and financial capabilities to fulfill its obligations related to such joint use.

**2. Liability of user.** If joint use is ordered, the public utility, voice service provider, dark fiber provider, wholesale competitive local exchange carrier or cable television system joint use entity to whom the use is permitted is liable to the owner or other users of the conduits, subways, wires, poles, pipes or other equipment poles, ducts, conduits or rights-of-way for damage that may result from its use to the property of the owner or other users.

**3. Interests of customers.** Any actions taken or orders issued by the commission under this section shall must take into account the interests of the subscribers customers of the affected cable television system, as well as the customers of the affected public utilities joint use entities.

**4. Rules.** The commission shall adopt a rule rules governing the resolution of pole attachment rate

disputes.—The and the rates, terms and conditions of joint use. The rules must promote competition, further the state broadband policy set forth in section 9202-A and ensure safe, nondiscriminatory access on just and reasonable terms. The rules must also include a process for ensuring that a new joint use entity seeking access to the poles, ducts, conduits or rights-of-way of another joint use entity meets the requirements of subsection 1, paragraph D. In establishing rates, the commission shall consider various formulas, including, but not limited to, the formula adopted by the Federal Communications Commission as codified in 47 Code of Federal Regulations, Part 1, Subpart J, as amended. Rules adopted or amended pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**5. Dark fiber provider.** This section applies to a dark fiber provider only with respect to the construction and maintenance of federally supported dark fiber.

**6. Limited jurisdiction.** A joint use entity not otherwise subject to the jurisdiction of the commission is subject to commission jurisdiction only for the limited purpose of matters relating to the use of the poles, conduits, ducts or rights-of-way in accordance with this section.

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

A. "Information service provider" means a provider of information service as that term is defined in 47 United States Code, Section 153(24).

B. "Joint use entity" means a public utility, voice service provider, dark fiber provider, wholesale or retail competitive local exchange carrier, cable television system, unlit fiber provider, telecommunications service provider or information service provider.

C. "Telecommunications service provider" means a provider of telecommunications service as that term is defined in 47 United States Code, Section 153(53).

D. "Unlit fiber" means one or more strands within a bundle of fiber-optic cable through which an associated light signal or light communication transmission must be provided to provide communications service, but excluding the electronic equipment required in order to render the fiber capable of transmitting communications.

E. "Unlit fiber provider" means a provider of unlit fiber.

**Sec. 2. 35-A MRSA §2301**, as amended by PL 2011, c. 623, Pt. B, §6, is further amended to read:

### **§2301. Construction, maintenance and operation of lines**

Except as limited, every voice service provider, ~~wholesale~~ competitive local exchange carrier ~~and~~ telecommunications service provider as defined in section 711, subsection 7, paragraph C, unlit fiber provider as defined in section 711, subsection 7, paragraph E, information service provider as defined in section 711, subsection 7, paragraph A, dark fiber provider for the purposes of constructing and maintaining its federally supported dark fiber and every corporation organized for the purpose of transmitting television signals by wire may construct, maintain and operate its lines upon and along the route or routes and between the points stated in its certificate of incorporation; and may construct its lines and necessary erections and fixtures for them along, over, under and across any of the roads and streets and across or under any of the waters upon and along the route or routes subject to the conditions and under the restrictions provided in this chapter and chapter 25.

**Sec. 3. 35-A MRSA §2501, sub-§2**, as amended by PL 2009, c. 612, §8, is further amended to read:

**2. Applicability of section 2503.** Except as otherwise provided, a person may not construct facilities upon and along highways and public roads without applying for and obtaining a written location permit from the applicable licensing authority under section 2503. Included within this requirement is every person operating telephones or transmitting television signals by wire; every person that owns, controls, operates or manages any pipeline within or through this State for the transportation as a common carrier for hire of oil, gas, gasoline, petroleum or any other liquids or gases; every water utility and every person making, generating, selling, distributing and supplying gas or electricity; every water utility or sewer company, district or system privately or municipally owned; every municipally owned or operated fire alarm, police alarm or street lighting circuit or system; every cooperative organized under chapter 35; the University of Maine System, for purposes described in section 2301-A; every dark fiber provider ~~for the purposes of constructing and maintaining its federally supported dark fiber~~; every unlit fiber provider as defined in section 711, subsection 7, paragraph E; every telecommunications service provider as defined in section 711, subsection 7, paragraph C; every information service provider as defined in section 711, subsection 7, paragraph A; and any other person engaged in telecommunications or the transmission of heat or electricity.

**Sec. 4. Rules.** The Public Utilities Commission shall amend its rules adopted pursuant to the Maine Revised Statutes, Title 35-A, section 711, subsection 4

by January 15, 2018 to address the terms and conditions of joint use.

See title page for effective date.

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**CHAPTER 200**  
**H.P. 418 - L.D. 602**

**An Act To Amend the Laws  
Governing the Membership of  
the Advisory Committee on  
College Savings**

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

**Sec. 1. 20-A MRSA §11484, sub-§1**, as amended by PL 2011, c. 420, Pt. G, §§1 to 5 and affected by §9, is further amended to read:

**1. Membership.** The advisory committee consists of ~~7~~ 8 members as follows:

~~A. The Treasurer of State, who serves as the chair of the advisory committee;~~

~~B-2. Two members~~ One member appointed by the Governor from ~~at large~~ the public;

~~C. Two~~ Four members appointed by the Governor with experience in and knowledge of institutional investment of funds; and

~~E. One member appointed by the Governor with experience in and knowledge of institutional investment of funds; and~~

~~F. One member~~ Three members appointed by the chair of the board who ~~is a member~~ are members of the board ~~other than the Treasurer of State.~~

The chair of the advisory committee must be appointed annually by the chair of the board.

**Sec. 2. 20-A MRSA §11484, sub-§2**, as repealed and replaced by PL 2001, c. 417, §20, is amended to read:

**2. Terms.** Members appointed by the Governor must be appointed for terms of 4 years. Members appointed by the chair of the board are appointed for terms of one year. Members may be removed for cause. ~~The member appointed by the Governor under subsection 1, paragraph B 1 must be appointed for an initial term of 3 years. The member appointed by the Governor under subsection 1, paragraph B 2 must be appointed for an initial term of 4 years.~~

See title page for effective date.

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**CHAPTER 201**  
**H.P. 535 - L.D. 755**

**An Act To Amend the Law  
Regarding Nontransmission  
Alternatives Investigations  
Required for Proposed  
Transmission Lines and  
Projects**

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

**Sec. 1. 35-A MRSA §3132, sub-§2**, as amended by PL 2009, c. 309, §1, is further amended to read:

**2. Construction of transmission line.** Except as otherwise provided in subsection 3-A, whenever any person proposes to erect within this State a transmission line capable of operating at 69 kilovolts or more, that person shall file a petition for the approval of the proposed line in accordance with subsection 2-C. The petition for approval must be set down for public hearing. The commission shall issue its order within ~~6~~ 9 months after the petition is filed unless this period is extended either by agreement of all the parties or by the commission upon its determination that the party seeking the extension would, because of circumstances beyond that party's control, be unreasonably disadvantaged unless the extension were granted, as long as the party to that time had prosecuted its case in good faith and with due diligence.

At the time of filing of a petition for approval of a proposed line under this section, the person filing the petition shall send a copy of the petition by certified mail to the municipal officers of the municipality or municipalities in which the line is to be located.

**Sec. 2. 35-A MRSA §3132, sub-§2-C, ¶B**, as amended by PL 2013, c. 369, Pt. C, §2, is further amended to read:

**B.** Justification for adoption of the route selected, including comparison with alternative routes that are environmentally, technically and economically practical; and

**Sec. 3. 35-A MRSA §3132, sub-§2-C, ¶C**, as amended by PL 2013, c. 369, Pt. C, §2, is repealed.

**Sec. 4. 35-A MRSA §3132, sub-§2-D** is enacted to read:

**2-D. Nontransmission alternatives investigation.** In considering whether to approve or disapprove all or portions of a proposed transmission line pursuant to subsection 5, the commission shall consider the results of an investigation by an independent 3rd party, which may be the commission or a contractor selected by the commission, of nontransmission alternatives to construction of the proposed transmission line. The

investigation must set forth the total projected costs of the transmission line as well as the total projected costs of the alternatives over the effective life of the proposed transmission line.

**Sec. 5. 35-A MRSA §3132-A, sub-§1**, as enacted by PL 2013, c. 369, Pt. C, §8, is amended to read:

**1. Submission requirement.** A person that proposes to undertake in the State a transmission project must provide the commission with ~~the following information:~~ a description of the need for the proposed transmission project.

~~A. Results of an investigation by an independent 3rd party, which may be the commission or a contractor selected by the commission, of nontransmission alternatives to construction of the proposed transmission project. The investigation must set forth the total projected costs of the transmission project as well as the total projected costs of the nontransmission alternatives over the effective life of the proposed transmission project; and~~

~~B. A description of the need for the proposed transmission project.~~

**Sec. 6. 35-A MRSA §3132-A, sub-§1-A** is enacted to read:

**1-A. Nontransmission alternatives investigation.** In considering whether to approve or disapprove all or portions of a proposed transmission project pursuant to subsection 2, the commission shall consider the results of an investigation by an independent 3rd party, which may be the commission or a contractor selected by the commission, of nontransmission alternatives to construction of the proposed transmission project. The investigation must set forth the total projected costs of the transmission project as well as the total projected costs of the alternatives over the effective life of the proposed transmission project.

**Sec. 7. Nontransmission alternatives coordinator proceeding.** By December 15, 2017, the Public Utilities Commission shall issue an order in the adjudicatory proceeding regarding the investigation into the designation of a nontransmission alternatives coordinator, Docket No. 2016-00049, and report the outcome of that proceeding to the Joint Standing Committee on Energy, Utilities and Technology by January 1, 2018.

See title page for effective date.

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## CHAPTER 202 H.P. 761 - L.D. 1083

### An Act To Increase the Penalties for Hunting Deer over Bait

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

**Sec. 1. 12 MRSA §10902, sub-§7-C** is enacted to read:

**7-C. Hunting deer over bait.** A hunting license of a person convicted of placing or hunting over bait in violation of section 11452, subsection 1 must be revoked, and that person is ineligible to obtain a hunting license as follows:

A. For a first offense, for a period of one year from the date of conviction; and

B. For a 2nd offense, the person is permanently ineligible to obtain a hunting license.

See title page for effective date.

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## CHAPTER 203 S.P. 366 - L.D. 1112

### An Act Regarding the Maternal and Infant Death Review Panel

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

**Sec. 1. 22 MRSA §261**, as amended by PL 2009, c. 531, §1, is further amended to read:

#### **§261. Maternal, fetal and infant mortality review panel**

The department shall establish the maternal, fetal and infant death mortality review panel in accordance with this section.

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

A. "Center" means the Maine Center for Disease Control and Prevention.

B. "Deceased person" means a woman who died during pregnancy or within 42 days of giving birth or a child who died within + one year of birth.

C. "Director" means the medical director of the center.

C-1. "Family" means a woman who has experienced a fetal death or the parent or parents or

other authorized representative of a deceased person.

D. "Panel" means the maternal, fetal and infant ~~death~~ mortality review panel established under this section.

E. "Panel coordinator" means an employee of the center who is appointed by the director or a person designated by the panel coordinator. The panel coordinator must be a licensed physician or registered nurse or other health care professional licensed or registered in this State.

**2. Membership; meetings.** The panel consists of health care and social service providers, public health officials, law enforcement officers and other persons with professional expertise on maternal and infant health and mortality. The director shall appoint the members of the panel, who serve at the pleasure of the director. The director shall appoint an employee of the center to serve as panel coordinator. The panel shall meet at least twice per year.

**3. Contact with family.** The first contact pursuant to this section with the family may not occur prior to 4 months after the death and must:

A. Be by letter from the State Health Officer on letterhead of the center; and

B. Include an invitation to participate in a review of the death of the deceased person or the fetal death from a statewide organization dedicated to improving the health of babies by preventing birth defects, premature birth and infant mortality.

**4. Duties and powers of panel coordinator.** The panel coordinator has the following duties and powers.

A. The panel coordinator shall review the deaths of all women during pregnancy or within 42 days of giving birth, the majority of cases in which a fetal death occurs after 28 weeks of gestation and the majority of deaths of infants under ~~4~~ one year of age, with selection of cases of infant death based on the need to review particular causes of death or the need to obtain a representative sample of all deaths.

A-1. The panel coordinator may have access to the death certificates of deceased persons and to fetal death certificates of fetal deaths occurring after 28 weeks of gestation.

~~B. Prior to accessing medical records, the panel coordinator shall obtain permission in all cases for access to those records from the family.~~

B-1. The panel coordinator may have access to health care information of a deceased person and a mother of a child who died within one year of birth, including fetal deaths after 28 weeks of gestation, pursuant to section 1711-C, subsection 6,

paragraph U. For purposes of this paragraph, "health care information" has the same meaning as in section 1711-C, subsection 1, paragraph E.

C. Prior to conducting a voluntary interview, the panel coordinator shall obtain permission in all cases for the interview from the family.

D. The panel coordinator may conduct voluntary interviews with the family. The purpose of the voluntary interview is limited to gathering information or data for the purposes of the panel in summary or abstract form without family names or patient identifiers. A person who conducts interviews under this paragraph must meet the qualifications for panel coordinator and also have professional experience or training in bereavement services. A person conducting an interview under this paragraph may make a referral for bereavement counseling.

E. The panel coordinator shall prepare a summary or abstract of relevant information regarding the case, as determined to be useful to the panel, but without the name or identifier of the deceased person or the woman who experienced a fetal death, and shall present the summary or abstract to the panel.

**5. Duties and powers of panel.** The panel has the following duties and powers.

A. The panel shall conduct comprehensive multidisciplinary reviews of data presented by the panel coordinator.

B. The panel shall present an annual report to the department and to the joint standing committee of the Legislature having jurisdiction over health and human services matters. The report must identify factors contributing to maternal, fetal and infant ~~death~~ mortality in the State, determine the strengths and weaknesses of the current maternal and infant health care delivery system and make recommendations to the department to decrease the rate of maternal, fetal and infant ~~death~~ mortality.

The panel shall offer a copy of the annual report to the person or persons that granted permission to the panel coordinator for a voluntary interview under subsection 4, paragraph C.

C. The panel shall share the results of its data reviews and recommendations with the child death and serious injury review panel established pursuant to section 4004, subsection 1, paragraph E. The maternal, fetal and infant ~~death~~ mortality review panel may request and review data from the child death and serious injury review panel, regardless of any prior work by the child death and serious injury review panel.

**6. Limitations.** The panel coordinator may not proceed with ~~reviews of medical records or~~ voluntary interviews without the permission of the family. The panel coordinator may not photocopy or retain copies of medical records or review cases of abortion. In performing work under this section, the panel coordinator shall minimize the burden imposed on health care practitioners, hospitals and facilities.

**7. Confidentiality.** All records created or maintained pursuant to this section, other than reports provided under subsection 5, paragraph B, are protected as provided in this subsection. The records are confidential under section 42, subsection 5. The records are not open to public inspection, are not public records for the purposes of Title 1, chapter 13, subchapter 1 and are not subject to subpoena or civil process nor admissible in evidence in connection with any judicial, executive, legislative or other proceeding.

**8. Immunity.** A health care practitioner, hospital or health care facility or the employee or agent of that person or entity is not subject to civil or criminal liability arising from the disclosure or furnishing of records or information to the panel pursuant to this section.

**9. Funding.** The department may accept any public or private funds to carry out the purposes of this section.

**10. Rulemaking.** The department shall adopt rules to implement this section, including rules on collecting information and data, selecting members of the panel, collecting and using individually identifiable health information and conducting reviews under this section. The rules must ensure that access to individually identifiable health information is restricted as much as possible while enabling the panel to accomplish its work. The rules must establish a protocol to preserve confidentiality, specify the manner in which the family will be contacted for permission and maintain public confidence in the protection of individually identifiable information. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 2. 22 MRSA §1711-C, sub-§6, ¶S,** as amended by PL 2015, c. 370, §4, is further amended to read:

S. To a member of the public who asks a health care facility about an individual by name, of the room number of the individual and brief confirmation of general health status unless expressly prohibited by the individual or a person acting pursuant to subsection 3-B; ~~and~~

**Sec. 3. 22 MRSA §1711-C, sub-§6, ¶T,** as enacted by PL 2015, c. 370, §5, is amended to read:

T. To a lay caregiver designated by an individual pursuant to section 1711-G; ~~and~~

**Sec. 4. 22 MRSA §1711-C, sub-§6, ¶U** is enacted to read:

U. To a panel coordinator of the maternal, fetal and infant mortality review panel pursuant to section 261, subsection 4, paragraph B-1 for the purposes of reviewing health care information of a deceased person and a mother of a child who died within one year of birth, including fetal deaths after 28 weeks of gestation. For purposes of this paragraph, "panel coordinator" has the same meaning as in section 261, subsection 1, paragraph E and "deceased person" has the same meaning as in section 261, subsection 1, paragraph B.

See title page for effective date.

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## CHAPTER 204

### S.P. 518 - L.D. 1489

#### An Act To Authorize the Revocation, Suspension or Denial of a Guide License under Specified Circumstances

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

**Sec. 1. 12 MRSA §10908, sub-§1,** as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

**1. Conditions for revocation, suspension, denial.** The commissioner may suspend or revoke a guide license pursuant to this subchapter and Title 5, section 10004. The commissioner may revoke, suspend, refuse to issue or refuse to renew a guide license or the District Court may revoke or suspend a guide license:

A. If the guide fails to meet the standards of competency established pursuant to section 12851;

B. If the guide fails to meet the qualifications for a guide license, including, but not limited to, failure to pass a reexamination conducted pursuant to section 12855, subsection 4; ~~or~~

C. If the guide is found to be incompetent, negligent or neglectful in the conduct of guiding activities, including, but not limited to, entering into a contractual agreement with a client to provide services and then failing, without just cause, to provide the services as agreed; ~~or~~

D. If the guide or an applicant for a guide license has been convicted of committing a crime in the State or any other jurisdiction that is punishable by imprisonment for a term of one year or more or

has been found not criminally responsible by reason of insanity of committing a crime in the State or any other jurisdiction that is punishable by imprisonment for a term of one year or more.

(1) A person whose license is revoked, suspended or denied under this paragraph may request a hearing before the commissioner. Following the hearing, the commissioner may issue a guide license or reinstate a guide license that has been revoked, suspended or denied if the commissioner determines that the applicant has been sufficiently rehabilitated from the conviction to warrant the public trust or the nature of the conviction or the circumstances surrounding it do not warrant disqualification from licensure. The request for a hearing under this paragraph must be made within 30 days of receipt of the revocation, suspension or denial of the guide license.

(2) An applicant for a guide license or the holder of a guide license must notify the department of a conviction or a finding of not criminally responsible that is grounds under this paragraph for the revocation, suspension or denial of a guide license within 30 days of the conviction or finding. Failure to notify the department is grounds for a permanent denial or revocation of a guide license.

**Sec. 2. 12 MRSA §12853, sub-§4-A** is enacted to read:

**4-A. Background check.** The commissioner shall request a background check for each person who applies for a guide license under this section. The background check must include criminal history record information obtained from the Maine Criminal Justice Information System established in Title 16, section 631 and the Federal Bureau of Investigation.

A. The criminal history record information must be obtained and used as follows.

(1) The criminal history record information obtained from the Maine Criminal Justice Information System must include a record of public criminal history record information as defined in Title 16, section 703, subsection 8.

(2) The criminal history record information obtained from the Federal Bureau of Investigation must include other state and national criminal history record information.

(3) An applicant who is the subject of a Federal Bureau of Investigation criminal history record check may obtain a copy of the criminal history record check by following the procedures outlined in 28 Code of Federal Regulations, Sections 16.32 and 16.33. An

applicant who is the subject of a state criminal history record check may inspect and review the criminal history record information pursuant to Title 16, section 709.

(4) State and federal criminal history record information may be used by the department for the purpose of screening each applicant.

B. The Commissioner of Public Safety shall assess a fee set annually by the commissioner for each initial criminal history record check and a fee set annually by the commissioner for each renewal criminal history record check required by this section.

C. An applicant shall submit to having fingerprints taken. The State Police, upon payment of the fee required under paragraph B by the applicant, shall take or cause to be taken the applicant's fingerprints and shall forward the fingerprints to the Department of Public Safety, State Bureau of Identification so that the bureau can conduct state and national criminal history record checks. Except for the portion of the payment, if any, that constitutes the processing fee charged by the Federal Bureau of Investigation, all money received by the State Police for purposes of this paragraph must be paid over to the Treasurer of State. The money must be applied to the expenses of administration incurred by the Department of Public Safety.

D. Information obtained pursuant to this subsection is confidential. The results of background checks received by the department are for official use only and may not be disclosed to any other person or entity.

E. A person whose guide license has expired and who has not applied for renewal may request in writing that the Department of Public Safety, State Bureau of Identification remove the person's fingerprints from the bureau's fingerprint file. In response to a written request, the bureau shall remove the person's fingerprints from the fingerprint file and provide written confirmation of that removal to the requester. The Commissioner of Public Safety may, without notice to a person, remove fingerprints from the fingerprint file maintained by the bureau if the person has not held a guide license for 7 years or more.

**Sec. 3. 25 MRSA §1542-A, sub-§1, ¶¶K and L,** as enacted by PL 2015, c. 300, Pt. B, §3, are amended to read:

K. Who has applied for employment with the Department of Administrative and Financial Services, Bureau of Revenue Services, Office of Tax Policy and whose fingerprints have been required by the Associate Commissioner for Tax Policy pursuant to Title 36, section 194-B; or

L. Who is assigned to provide services to the Department of Administrative and Financial Services, Bureau of Revenue Services pursuant to a contract or subcontract for services to the bureau and whose fingerprints have been required by the State Tax Assessor pursuant to Title 36, section 194-C-; or

**Sec. 4. 25 MRSA §1542-A, sub-§1, ¶M** is enacted to read:

M. Who has applied for a guide license under Title 12, section 12853.

**Sec. 5. 25 MRSA §1542-A, sub-§3, ¶L** is enacted to read:

L. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph M at the request of that person and upon payment of the expenses by that person as required by Title 12, section 12853, subsection 4-A, paragraph B.

See title page for effective date.

## CHAPTER 205

### H.P. 1087 - L.D. 1580

#### An Act To Clarify and Enhance Maine's Wildlife Laws

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

**Sec. 1. 7 MRSA §1809, sub-§1**, as amended by PL 2007, c. 128, §1, is further amended to read:

**1. Permit required.** The commissioner may require a person who imports animals or avian hatching eggs into the State to obtain a permit before the time of entry. When a permit is required, the permit or permit number must accompany the shipment. The commissioner may refuse to grant a permit or may issue one subject to quarantine at destination if the animals or avian hatching eggs do not meet importation requirements or do not comply with the inland fisheries and wildlife laws and rules adopted by the Commissioner of Inland Fisheries and Wildlife under Title 12, chapter 915, subchapter 15 or Title 12, section 12102 ~~or 12704~~. The commissioner may require the owner to have those animals or avian hatching eggs tested or examined by a veterinarian at the owner's expense. The commissioner may release those animals or avian hatching eggs from quarantine only after the commissioner is satisfied that they are not a disease threat to other animals or humans.

When an animal or avian hatching egg is brought into the State without a required permit, the commissioner or the Commissioner of Inland Fisheries and Wildlife

may condemn the animal and order it euthanized without indemnity or condemn the avian hatching egg and order it destroyed without indemnity. For purposes of this section, "avian hatching egg" means an egg of a bird species that is fertile and handled, transported and stored in a manner that maintains its viability. "Avian hatching egg" does not include fertile eggs marketed for human consumption.

**Sec. 2. 12 MRSA §10053, sub-§9**, as amended by PL 2009, c. 340, §4, is further amended to read:

**9. Rules.** The development of rules governing the effective management of the inland fisheries and wildlife resources of the State; ~~and~~

**Sec. 3. 12 MRSA §10053, sub-§10**, as enacted by PL 2009, c. 340, §5, is amended to read:

**10. Land acquisition.** The acquisition and development of land for the protection, preservation and enhancement of inland fisheries and wildlife resources; ~~and~~

**Sec. 4. 12 MRSA §10053, sub-§11** is enacted to read:

**11. Resource planning.** The coordination with other resource management staff to develop both short-term and long-term plans for the preservation, protection, enhancement and use of inland fisheries and wildlife resources. The bureau shall undertake activities as directed by the commissioner.

**Sec. 5. 12 MRSA §10055**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by Pt. D, §7 and c. 614, §9, is repealed.

**Sec. 6. 12 MRSA §11109-A, sub-§4, ¶F**, as enacted by PL 2007, c. 163, §1 and affected by §3, is amended to read:

F. A license under chapter 927; or

**Sec. 7. 12 MRSA §11109-A, sub-§4, ¶G**, as enacted by PL 2007, c. 163, §1 and affected by §3, is repealed.

**Sec. 8. 12 MRSA §11152, sub-§1-A**, as amended by PL 2011, c. 253, §18, is further amended to read:

**1-A. Antlerless deer in wildlife management districts with no permits issued.** Except as otherwise provided in this Part, a person may not hunt or possess an antlerless deer in a wildlife management district or a portion of a wildlife management district that does not have permits issued. A person may possess in one of those districts an antlerless deer that has been lawfully registered in another district where permits have been issued.

A person that violates this subsection commits a Class D crime for which a minimum fine of \$1,000 must be imposed, and the court shall impose a sentencing al-

ternative involving a term of imprisonment of at least 3 days, none of which may be suspended.

**Sec. 9. 12 MRSA §11152, sub-§2-A** is enacted to read:

**2-A. Authority to regulate taking of antlerless deer in certain areas within wildlife management districts where no permits are issued.** The commissioner may by rule issue permits in a designated geographical area within a wildlife management district where no antlerless deer permits are issued to maintain balanced deer populations. A designated geographical area under this subsection may consist of an entire town or other area but must have a demarcation of the area that follows recognizable physical boundaries such as rivers, roads and railroad rights-of-way.

**Sec. 10. 12 MRSA §12055, sub-§2, ¶A**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

A. The licensee may hold, at the time and place stated in the license, a field trial for sporting dogs for the purpose of demonstrating the skill of the dogs in finding, tracking, flushing, pointing or retrieving dead or wounded wild birds.

**Sec. 11. 12 MRSA §12101, sub-§1-C** is enacted to read:

**1-C. Prohibition; remote-control hunting.** An owner or operator of a commercial shooting area may not use a website, or a service or business via any other means, that permits a person to hunt or attempt to hunt a wild animal or wild bird that is located in this State through the use of a computer-controlled gun, shooting apparatus or any other remote-control device when the person using the website, service or business is physically removed from the immediate vicinity of the wild animal or wild bird. A person who violates this subsection commits a Class E crime.

**Sec. 12. 12 MRSA §12103**, as enacted by PL 2005, c. 81, §3, is repealed.

**Sec. 13. 12 MRSA §12151, sub-§1**, as amended by PL 2015, c. 374, §2, is further amended to read:

**1. Prohibition.** A person may not keep wildlife in captivity except as provided under section 10105, subsection 10, sections 12102, 12152, and 12157; ~~12158 and 12704~~ and Title 7, section 1809 or except if the wild animal was purchased from a dealer or pet shop licensed under Title 7, section 3933.

**Sec. 14. 12 MRSA §12152, sub-§1-A**, as enacted by PL 2015, c. 374, §5, is amended to read:

**1-A. Permit required.** Except as otherwise provided in this Part, a person may not import wildlife into or possess wildlife in the State or receive or possess wildlife imported into the State. The department shall maintain a list of unregulated fish and wildlife

species for which a permit under this section is not required that is available to the public. 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 permit fee must be imposed. The commissioner may grant a permit to introduce, import, transport, receive or possess fish or gametes in accordance with the provisions of section 12509.

**Sec. 15. 12 MRSA §12152, sub-§1-B** is enacted to read:

**1-B. Exemption.** Notwithstanding subsection 1-A, a reptile, amphibian or invertebrate that is native to the State and not listed by the department as threatened, endangered or of special concern may be captured from the wild in the State and possessed without a permit. Possession limits for each species are as follows:

A. Amphibians, up to 5 specimens of each species;

B. Reptiles, up to 2 specimens of each species; and

C. Invertebrates, no specimen limits.

Animals captured under this subsection must be kept in a manner that does not permit contact between those animals and any other animal that is not naturally present in the wild in this State. If an animal captured under this subsection is released back into the wild, the animal must be released in or near the same location where the animal was captured. Importation into the State of a reptile, amphibian or invertebrate exempted under this subsection is prohibited without a permit. Exhibition, propagation or export or sale for commercial purposes is prohibited without a permit. A person may not export, sell or otherwise use for commercial purposes any animal captured under this subsection unless the person holds an applicable permit for that use.

**Sec. 16. 12 MRSA §12152, sub-§2**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

**2. Affected species.** Except as otherwise provided in this Part, this section applies to the possession of any wildlife regulated by the State that is held in captivity and to the importation of wildlife from an area outside the State, including:

A. All species listed under state law as threatened or endangered;

B. All species other than those listed in paragraph A not included on a list of unregulated, nonnative species that is maintained by the commissioner to facilitate the issuance of importation permits; and

C. Species identified in rules adopted by the commissioner.

The commissioner may adopt rules that classify wildlife into categories as described in subsection 3-D for purposes of determining applicable fees under this section. The rules must, at a minimum, include the list of unrestricted, nonnative species as provided in paragraph B, a category of wildlife that is endangered or threatened or presents a risk to humans, a category of wildlife that requires special housing or care and a category of prohibited species for which a permit is not issued under any circumstances.

**Sec. 17. 12 MRSA §12152, sub-§3-B**, as enacted by PL 2015, c. 374, §7, is repealed.

**Sec. 18. 12 MRSA §12152, sub-§3-D** is enacted to read:

**3-D. Permit types; application fees; permit fees.** An applicant for a permit under this section shall submit a written application on a form specified by the commissioner. The application must be accompanied by the applicable nonrefundable application fee. The following permits may be issued by the commissioner:

A. A category 1 restricted species importation permit, which allows the holder to import wildlife that is endangered or threatened or presents a risk to humans into the State. The following fees apply to a permit under this paragraph:

- (1) Application fee, \$250; and
- (2) Permit fee, \$27;

B. A category 1 restricted species exhibition permit, which allows the holder to exhibit wildlife for commercial purposes that is endangered or threatened or presents a risk to humans or that requires special housing or care. A category 1 restricted species exhibition permit does not allow the holder to exhibit wolf hybrids, as defined in Title 7, section 3907, subsection 30. A category 1 restricted species exhibition permit expires 2 years from the date of issuance. The following fees apply to a permit under this paragraph:

- (1) Application fee, \$250; and
- (2) Permit fee, \$150;

C. A category 2 restricted species importation permit, which allows the holder to import wildlife that requires special housing or care. The following fees apply to a permit under this paragraph:

- (1) Application fee, \$100; and
- (2) Permit fee, \$27;

D. A category 2 restricted species possession permit, which allows the holder to possess wildlife that requires special housing or care. A category 2 restricted species possession permit expires 2 years from the date of issuance. The following fees apply to a permit under this paragraph:

- (1) Application fee, \$27; and
- (2) Permit fee, \$27;

E. A wildlife rehabilitation permit, which allows the holder to possess debilitated or orphaned wildlife and rehabilitate that wildlife and release it into the wild as soon as the wildlife is rehabilitated or euthanize that wildlife in accordance with humane euthanization procedures if rehabilitation and release are not possible. A wildlife rehabilitation permit is available at no cost and expires 2 years from the date of issuance;

F. A research permit, which allows the holder to import and possess wildlife that is endangered or threatened or presents a risk to humans or that requires special housing or care to conduct scientific research or to use for educational purposes. A research permit is available at no cost and expires 2 years from the date of issuance; and

G. An educational and scientific collection permit, which allows the holder to hunt, trap, possess, band and transport wildlife from within the State for educational or scientific purposes. An educational and scientific permit is not required to hunt, trap, possess, band or transport an invertebrate that is not listed by the department as endangered, threatened or of special concern. An educational and scientific collection permit is available at no cost and expires one year from the date of issuance.

**Sec. 19. 12 MRSA §12152, sub-§4**, as amended by PL 2015, c. 374, §8, is repealed.

**Sec. 20. 12 MRSA §12156**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by Pt. D, §7 and c. 614, §9, is amended to read:

### **§12156. Release of wildlife into wild**

**1. Permit required.** Except as otherwise authorized pursuant to this Part, a person may not release into the wild captive, raised or imported ~~wild birds or wild animals~~ wildlife unless that person has a valid 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. Issuance.** The commissioner may issue a written permit to any person permitting that person to release into the wild captive, raised or imported ~~wild birds and wild animals~~ wildlife.

**3. Wild turkey restrictions.** Only the commissioner or agents of the commissioner may sell, give away or release into the wild any live wild turkey, hybrid wild turkey, wild turkey-domestic turkey cross or fertile egg of these species.

**Sec. 21. 12 MRSA §12158**, as amended by PL 2003, c. 655, Pt. B, §206 and affected by §422 and amended by PL 2011, c. 657, Pt. W, §5, is repealed.

**Sec. 22. 12 MRSA §12159, sub-§2**, as amended by PL 2011, c. 253, §23, is further amended to read:

**2. Commercial amphibian permit.** Persons harvesting amphibians for purposes of sale are required to obtain a permit from the commissioner. The fee for a permit issued under this subsection is \$27. The permit expires one year from the date of issuance.

**Sec. 23. 12 MRSA §12159, sub-§3**, as amended by PL 2011, c. 253, §23, is further amended to read:

**3. Rules.** The commissioner shall adopt rules pertaining to harvest methods, confinement and disposal of amphibians. The commissioner may by rule:

- A. Require reporting of harvest activities;
- B. Establish a season, including daily and season possession limits; and
- C. Establish requirements for humane harvest, confinement and disposal methods; ~~and~~
- ~~D. Establish a fee schedule to implement a permit system under this section.~~

Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 24. 12 MRSA §12161, sub-§2**, as enacted by PL 2011, c. 253, §24, is amended to read:

**2. Commercial nonmarine invertebrate permit.** Persons harvesting freshwater mussels, butterflies, moths, dragonflies or beetles for export, sale or commercial purposes are required to obtain a permit from the commissioner. The fee for a permit issued under this subsection is \$27. The permit expires one year from the date of issuance.

**Sec. 25. 12 MRSA §12161, sub-§3, ¶B**, as enacted by PL 2011, c. 253, §24, is amended to read:

- B. Establish daily and season possession limits; and

**Sec. 26. 12 MRSA §12161, sub-§3, ¶C**, as enacted by PL 2011, c. 253, §24, is repealed.

**Sec. 27. 12 MRSA §12704**, as amended by PL 2015, c. 374, §12, is repealed.

**Sec. 28. 12 MRSA §12705, sub-§1**, as amended by PL 2015, c. 374, §13, is further amended to read:

**1. Civil violation.** Notwithstanding ~~section sections~~ 10650 and 12152, a person who violates a rule regulating educational or scientific collection permits

commits a civil violation for which a fine of not less than \$100 nor more than \$500 may be adjudged.

See title page for effective date.

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## CHAPTER 206

### S.P. 559 - L.D. 1585

#### An Act To Transfer the Authority To Issue Nonconcealed Firearm Permits in Certain Cases from the Department of Public Safety to the Office of the Governor

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

**Sec. 1. 15 MRSA §393, sub-§2**, as amended by PL 2013, c. 424, Pt. A, §5, is further amended to read:

**2. Application after 5 years.** A person subject to the provisions of subsection 1, paragraph A-1 or C as a result of a conviction or adjudication may, after the expiration of 5 years from the date that the person is finally discharged from the sentences imposed as a result of the conviction or adjudication, apply to the ~~commissioner~~ Office of the Governor for a permit to carry a firearm subject to subsection 4. That person may not be issued a permit to carry a concealed handgun pursuant to Title 25, chapter 252. A permit issued pursuant to this subsection is valid for 4 years from the date of issue unless sooner revoked for cause by the ~~commissioner~~ Governor. For purposes of this subsection, "firearm" does not include a firearm defined under 18 United States Code, Section 921(3).

**Sec. 2. 15 MRSA §393, sub-§3**, as amended by PL 2007, c. 194, §4, is further amended to read:

**3. Contents.** An application under subsection 2 must be on a form prepared by the ~~Commissioner of Public Safety~~ Office of the Governor. The application must include the following: the applicant's full name; all aliases; date and place of birth; place of legal residence; occupation; make, model and serial number of the firearm sought to be possessed; date, place and nature of conviction; sentence imposed; place of incarceration; name and address of probation or parole officer; date of discharge or release from prison or jail or termination of probation, supervised release for sex offenders, parole or administrative release; the reason for the request; and any other information determined by the ~~commissioner~~ Governor to be of assistance. The application must be accompanied by certified or attested copies of the indictment, information or complaint, judgment and commitment and discharge that are the subject of the conviction.

**Sec. 3. 15 MRSA §393, sub-§4**, as amended by PL 2009, c. 503, §2, is further amended to read:

**4. Notification, objection and decision.** Upon receipt of an application, the ~~commissioner~~ Office of the Governor shall determine if the application is in proper form. If the application is proper, the ~~commissioner~~ Governor shall within 30 days notify in writing the sentencing or presiding judge, the Attorney General, the district attorney for the county where the applicant resides, the district attorney for the county where the conviction occurred, the law enforcement agency that investigated the crime, the chief of police and sheriff in the municipality and county where the crime occurred and the chief of police and sheriff in the municipality where the applicant resides as of the filing of the application. The ~~commissioner~~ Governor may direct any appropriate investigation to be carried out.

A. If, within 30 days of the sending of notice, a person notified objects in writing to the ~~commissioner~~ Governor regarding the initial issuance of a permit and provides the reason for the objection, the ~~commissioner~~ Governor may not issue a permit. The reason for the objection must be communicated in writing to the ~~commissioner~~ Governor in order for it to be the sole basis for denial.

B. If, within 30 days of the sending of notice, a person notified objects in writing, including the reason for the objection, to the ~~commissioner~~ Governor regarding a 2nd or subsequent issuance of a permit, the ~~commissioner~~ Governor shall take the objection and its reason into consideration when determining whether to issue a 2nd or subsequent permit to the applicant, but need not deny the issuance of a permit based on an objection alone.

The ~~commissioner~~ Governor may deny any application for a permit even if no objection is filed.

See title page for effective date.

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## CHAPTER 207 H.P. 390 - L.D. 548

### An Act To Amend Laws Relating to Agricultural Pulling Events

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

**Sec. 1. 7 MRSA §81, sub-§3-A** is enacted to read:

**3-A. Driver.** "Driver" means a person who drives or controls the animal that is pulling in a pulling event.

**Sec. 2. 7 MRSA §81, sub-§14**, as enacted by PL 2005, c. 563, §3, is repealed.

**Sec. 3. 7 MRSA §96, sub-§§3, 4 and 7**, as enacted by PL 2005, c. 563, §3, are amended to read:

**3. Animals subject to examination; scope; request for test.** An animal entered in an event is subject to examination under the direction of a licensed veterinarian or an agent of the licensed veterinarian. The licensed veterinarian, with the approval of the commissioner, may appoint technicians and agents to perform duties under this section that are not prohibited by other provisions of law. The examination may include physical, saliva, urine or blood tests or other tests or procedures that the licensed veterinarian considers necessary to carry out the purposes of this section. The licensed veterinarian may examine an animal entered in an event if that animal is on the grounds of the event. The licensed veterinarian also may examine an animal withdrawn by the owner ~~or trainer~~ of the animal within 24 hours prior to an event for which the animal had been entered. The pull superintendent appointed under section 99, subsection 1 may undertake a visual examination of any animal entered in an event and may request a licensed veterinarian or an agent of the licensed veterinarian to undertake an examination under this subsection.

**4. Refusal to submit animal for examination.** ~~An~~ The owner or trainer or driver may not refuse to secure or restrain an animal for examination under this section by a licensed veterinarian or a technician or agent of the licensed veterinarian and may not interfere with the restraining or securing of an animal for that examination.

**7. Responsibility of owner and driver for condition of animal.** In the absence of substantial evidence to the contrary, the owner ~~and trainer and driver~~ of an animal are responsible for the condition of the animal, including the presence of a prohibited substance, and are charged with knowledge of all the provisions contained in this section and the ~~regulations~~ rules adopted pursuant to this section. ~~If a trainer the owner is prevented from performing the trainer's owner's duties, including responsibility for an animal under this subsection, by illness or other cause, or is absent from the event where an animal under the trainer's owner's care is entered and stabled, the trainer owner shall immediately shall notify the secretary or general manager of the event. At the time of notification, the trainer shall specify a substitute trainer and the substitute trainer shall place the substitute trainer's name on the entry blank. The substitute trainer has the same responsibilities as the trainer concerning the condition of an animal in that trainer's care.~~

**Sec. 4. 7 MRSA §96, sub-§8**, as amended by PL 2011, c. 73, §1, is further amended to read:

**8. Administrative hearing; suspension.** In lieu of a civil action under subsection 9, the commissioner may institute an administrative proceeding on any alleged violation of this section. If the commissioner institutes an administrative proceeding, the commissioner shall give notice and an opportunity for hearing under Title 5, chapter 375, subchapter 4. Upon giving notice to a person who is alleged to be in violation of this section, the commissioner shall immediately prohibit that person from competing in an event within the State. This prohibition remains in effect for 30 days or until the commissioner's decision following the hearing is received, whichever occurs first, except that the prohibition period is extended by any delays of the hearing requested by the person against whom the violation is alleged.

If the person against whom the violation is alleged does not request a hearing or if, after a hearing, the commissioner finds the person has committed the violation, the commissioner shall prohibit that person from competing in any event within the State for a period of ~~up to~~ 2 years for the first offense, 3 years for the 2nd offense and 5 years for the 3rd and subsequent offenses and shall also exclude the animal from competing in any event within the State for a period of ~~up to~~ one year. The commissioner may also, in an adjudicatory proceeding, in lieu of a civil action under subsection 9, impose an administrative penalty not to exceed \$1,000 for a violation of this section.

The commissioner may establish, by rule, a schedule of administrative penalties for violations of this section that includes fines and prohibitions on competing. The schedule must be based on the severity of the violation. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 5. 7 MRSA §96, sub-§10,** as enacted by PL 2005, c. 563, §3, is amended to read:

**10. Suspension.** When a violation is adjudicated under subsection 9, the commissioner shall immediately suspend the person adjudicated to have committed the violation from participating in events for a period of 2 years for the first offense, 3 years for the 2nd offense and 5 years for the 3rd and subsequent offenses and shall also exclude the animal involved from competing in any event for a period of one year. An action by the commissioner based upon an adjudication under this section is automatic, and there is no right to a hearing before the commissioner on the suspension. A person who participated in an event during any period of suspension or prohibition ordered by the commissioner under this subsection or subsection 8 and the owner ~~and trainer~~ of any animal that competes during a period of suspension or prohibition commit an additional violation of this section.

**Sec. 6. 7 MRSA §96, sub-§12, ¶C,** as enacted by PL 2005, c. 563, §3, is amended to read:

C. Only a licensed veterinarian or ~~a trainer~~ an owner acting under the direction of a licensed veterinarian may administer medication. The ~~trainer~~ owner may administer medication under the direction of a licensed veterinarian if the licensed veterinarian has assumed responsibility for making medical judgments regarding the health of the animal, has sufficient knowledge of the animal to make a general or preliminary diagnosis of the animal and is readily available to care for the animal in the event of an adverse reaction to medication or the failure of ~~a trainer~~ the owner to adhere to a therapy regimen.

**Sec. 7. 7 MRSA §97, sub-§4, ¶A,** as enacted by PL 2005, c. 563, §3, is amended to read:

A. All ~~teamsters~~ drivers who are to compete in contests must have their teams ready at the published starting time. All classes must be closed after the positions are drawn. Classes must start as nearly as possible to the published time.

**Sec. 8. 7 MRSA §97, sub-§4, ¶¶I, L and N,** as enacted by PL 2005, c. 563, §3, are amended to read:

I. Any number of helpers is allowed to help hitch. After hitch-on, there may be no more than 2 helpers. The helpers shall stay behind the drag unless needed to help the ~~teamster~~ driver. The helpers may not have a stick. This paragraph applies to distance pulls only.

L. Heading of horses or oxen is not allowed. One inch pulled constitutes a hitch. Stepping over the rail counts as a hitch and 5 minutes are allowed for hitching. Three attempts may be made within that period. Time taken out to position the drag for the next pull may not be counted. ~~Teamsters~~ Drivers may not be changed after the first load is pulled. A team deliberately driven over the rail is disqualified from the contest. In case of a tie on the longest distance, the 2nd-longest distances already pulled will take first place. Persons acting as eveners shall remain quiet after hitching on. This paragraph does not apply to distance pulls.

N. A substantial barrier must be maintained at the end of the ring toward which the pull is proceeding to prevent or substantially impede runaways. A ~~teamster~~ driver losing control of the team is disqualified immediately.

**Sec. 9. 7 MRSA §97, sub-§4, ¶R** is enacted to read:

R. An animal must have an ear tag or microchip implant for identification purposes. The pull superintendent or the assistant pull superintendent shall verify the animal's identification at the time of weigh-in and at the time of entry.

**Sec. 10. 7 MRSA §100, sub-§1**, as enacted by PL 2005, c. 563, §3, is amended to read:

**1. Violation by driver.** Upon receipt of a written report alleging that a ~~teamster~~ driver has violated the laws or rules governing pulling events, the Pull Events Commission may after a hearing disqualify a ~~teamster driver~~ driver from participation in pulling events.

See title page for effective date.

## CHAPTER 208

H.P. 976 - L.D. 1418

### An Act To Ban the Purchase of Retail Marijuana and Retail Marijuana Products with Temporary Assistance for Needy Families Program Benefits

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

**Sec. 1. 22 MRSA §3763, sub-§11, ¶¶H and I**, as enacted by PL 2015, c. 484, §1, are amended to read:

H. Publications, services or entertainment that contain or promote obscene matter. For purposes of this paragraph, "obscene matter" has the same meaning as in Title 17, section 2911, subsection 1, paragraph D; ~~or~~

I. Tattoos, as defined by Title 32, section 4201, or body art; or

**Sec. 2. 22 MRSA §3763, sub-§11, ¶J** is enacted to read:

J. Retail marijuana and retail marijuana products, as defined by Title 7, section 2442.

See title page for effective date.

## CHAPTER 209

S.P. 497 - L.D. 1442

### An Act To Raise the Debtor's Exemption on Vehicles

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

**Sec. 1. 14 MRSA §4422, sub-§2**, as amended by PL 2001, c. 306, §2, is further amended to read:

**2. Motor vehicle.** The debtor's interest, not to exceed ~~\$5,000~~ \$7,500 in value, in one motor vehicle.

See title page for effective date.

## CHAPTER 210

S.P. 498 - L.D. 1443

### An Act To Update Professional and Occupational Licensing Laws

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

#### PART A

**Sec. A-1. 10 MRSA §1404, first ¶**, as amended by PL 1989, c. 717, §1, is further amended to read:

A statutory warranty is hereby established under which both the manufacturer and the dealer certify that to the best of their knowledge, the new ~~mobile~~ manufactured home is free from any substantial defects in the approved building systems, materials and workmanship. The dealer shall deliver the written warranty to the buyer at the time of sale, and the warranty ~~shall~~ must contain the following terms:

**Sec. A-2. 10 MRSA §1404, sub-§1**, as enacted by PL 1973, c. 435, is amended to read:

**1. Defects.** That the ~~mobile~~ manufactured home is free from any substantial defects in materials or workmanship;

**Sec. A-3. 10 MRSA §1404, sub-§3**, as enacted by PL 1973, c. 754, §2, is amended to read:

**3. Liability.** That the manufacturer and dealer ~~shall be~~ are jointly and severally liable to the consumer for the fulfillment of the terms of warranty, and the consumer may notify either one or both of the need for appropriate corrective action in instances of substantial defects in the approved building systems, materials or workmanship;

**Sec. A-4. 10 MRSA §1404, sub-§5**, as amended by PL 1989, c. 717, §2, is further amended to read:

**5. Responsibility.** That, while the manufacturers of any ~~or all~~ appliances may also issue their own express warranties, the primary responsibility for appropriate corrective action under the warranty rests with the dealer and manufacturer, and the consumer should report all complaints to the dealer and manufacturer initially; and

**Sec. A-5. 10 MRSA §1404-A, sub-§§1 and 2**, as enacted by PL 1993, c. 642, §7, are amended to read:

**1. Approved building systems, materials and workmanship.** That the installation is free from any substantial defects in the approved building systems, materials or workmanship;

**2. Corrective action.** That the installer or the installer and the dealer, when the dealer is responsible for the installation, shall take appropriate corrective action at the site of the manufactured housing in instances of substantial defects in the approved building systems, materials or workmanship that become evident within one year from the date of the installation of the manufactured housing if the buyer or the buyer's transferee gives written notice of the defects to the installer or the installer and the dealer, when the dealer is responsible for installation, at the installer's or the installer's and the dealer's business addresses no later than one year and 10 days after the date of installation;

## PART B

**Sec. B-1. 10 MRSA §9001, sub-§1, ¶D,** as amended by PL 2005, c. 678, §2 and affected by §13, is further amended to read:

D. Manufactured housing may present hazards to the health, life and safety of persons and to the safety of property unless properly manufactured because vital parts ~~such as, including but not limited to~~ heating, plumbing and electrical and structural systems, are concealed and defects may not be readily ascertainable when inspected by a purchaser. Accordingly, it is the policy and purpose of this State to provide protection to the public against those possible hazards; and

**Sec. B-2. 10 MRSA §9002, sub-§2-B** is enacted to read:

**2-B. Educational facility.** "Educational facility" means an academic institution providing education designed to provide career and technical training to its students through the construction of manufactured homes. "Educational facility" includes but is not limited to career or technical schools, high schools and postsecondary programs.

**Sec. B-3. 10 MRSA §9002, sub-§3,** as repealed and replaced by PL 1981, c. 152, §3, is amended to read:

**3. Federal manufactured home construction and safety standard.** "~~Federal Manufactured Housing Construction and Safety Standard~~ manufactured home construction and safety standard" means a reasonable the standard for the construction, design and performance of a manufactured home ~~which~~ that meets the needs of the public including the need for quality, durability and safety ~~which and that~~ and that has been duly adopted by the Federal Government pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended by the

Manufactured Housing Improvement Act of 2000, 42 United States Code, Section 5401, et seq.

**Sec. B-4. 10 MRSA §9002, sub-§5,** as enacted by PL 1977, c. 550, §1, is amended to read:

**5. Inspection agency.** "Inspection agency" means an approved person or organization, public or private, determined by the board to be qualified by reason of facilities, personnel and demonstrated ability and independence of judgment to provide for inspection and approval of the design, construction or installation of manufactured housing in compliance with the standards and the ~~regulations promulgated~~ rules adopted in accordance with this Act.

**Sec. B-5. 10 MRSA §9002, sub-§6,** as repealed and replaced by PL 2001, c. 260, Pt. A, §1, is amended to read:

**6. Installation.** "Installation" means:

A. The ~~affixing~~ placing of manufactured housing on ~~foundations~~ a foundation or supports at a building site; and

B. The assembly and fastening of structural components of manufactured housing, including the completed roof system, as specified by the manufacturer's installation instructions and in accordance with the rules of the board.

For manufactured housing as defined in subsection 7, paragraphs A and C, "installation" also includes the connection to existing services, including but not limited to electrical, oil, gas, water, sewage and similar systems that are necessary for the use of the manufactured housing for dwelling purposes.

**Sec. B-6. 10 MRSA §9002, sub-§7, ¶B,** as amended by PL 2005, c. 344, §4, is further amended to read:

B. State-certified modular homes, which are those units that the manufacturer certifies are constructed in compliance with ~~the State's Manufactured Housing~~ this Act and regulations rules, meaning structures, transportable in one or more sections, that are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air-conditioning or electrical systems contained therein. "Manufactured housing" ~~does not include modular homes constructed at an educational facility by students pursuant to rules adopted by the board~~;

**Sec. B-7. 10 MRSA §9002, sub-§12** is enacted to read:

**12. Person.** "Person" means an individual or entity, including but not limited to a corporation, partnership, firm, organization, company, homeowner, consumer or purchaser.

**Sec. B-8. 10 MRSA §9003, sub-§2, ¶F**, as repealed and replaced by PL 1995, c. 462, Pt. A, §26, is amended to read:

F. One member who is an owner or operator of a ~~mobile home park with more than 15 lots~~ manufactured housing community;

**Sec. B-9. 10 MRSA §9006, sub-§1**, as amended by PL 1993, c. 642, §13, is further amended to read:

**1. Standards.** The board shall, by rule, set uniform reasonable standards for the installation of manufactured homes, including, but not limited to, standards for foundations, supports, anchoring ~~and~~ underpinning and skirting of manufactured homes installed in this State.

**Sec. B-10. 10 MRSA §9006-B**, as enacted by PL 1993, c. 186, §1, is amended to read:

**§9006-B. Formaldehyde emissions; disclosure**

In addition to requiring that the "Health Notice on Formaldehyde Emissions" set out in 24 Code of Federal Regulations 53280.309 be prominently displayed in each manufactured housing unit sold in the State and provided as part of the Manufactured Home Consumer Manual provided to each purchaser of a new manufactured ~~home~~ housing unit, the board shall require that a copy of that notice be provided to a purchaser of a new ~~mobile home~~ manufactured housing unit at the time of execution of the purchase and sales agreement, and that each purchaser sign a certification, provided at the bottom of that notice, that the purchaser has read and understood the contents of the notice before signing the purchase and sales agreement.

**Sec. B-11. 10 MRSA §9008, sub-§1**, as amended by PL 2005, c. 344, §7, is further amended to read:

**1. Licenses.** A person may not manufacture, sell, broker, distribute, install or service any manufactured housing in this State regardless of the destination of the housing without first obtaining a license from the board as required in this chapter.

**Sec. B-12. 10 MRSA §9009, sub-§3**, as amended by PL 2007, c. 402, Pt. D, §5, is further amended to read:

**3. Remedies for manufacturing and building system defects.** The board staff may investigate ~~all~~ any complaints made to the board of noncompliance with or violation of chapter 213 or a warranty applicable to the sale of manufactured housing. If the board finds, after hearing, that a manufacturer, dealer or developer dealer has sold, or is making available for sale, manufactured housing that poses a threat to public health or safety or has failed to comply with chapter 213 or an applicable warranty, express or implied, the

board may order the manufacturer, dealer or developer dealer or any combination thereof to take appropriate corrective action. Corrective action may include, but is not limited to, reimbursing consumers for repairs that are covered by warranty and made by the consumer if the consumer notifies the dealer, developer dealer or manufacturer in writing of the defect within a reasonable time prior to undertaking the repairs and the board finds that the repairs are or were necessary to correct or prevent an imminent threat to health or safety or to the structure of the manufactured housing. The board may also revoke or suspend the license of the manufacturer, dealer, developer dealer or any combination thereof to prevent any future threat to public health or safety. Notwithstanding the provisions of ~~Title 10~~, section 8003, subsection 5-A, revocations ordered by the board are subject to judicial review exclusively in the Superior Court in accordance with Title 5, chapter 375, subchapter 7. This subsection applies to any new manufactured housing that is sold to a consumer after January 1, 1993.

**Sec. B-13. 10 MRSA §9011, sub-§1**, as enacted by PL 1977, c. 550, §1, is amended to read:

**1. Inspection of violations.** The board may, upon complaint or probable cause, inspect the manufactured housing, manufacturing facilities, a licensee's business facilities or such records as may be necessary to verify whether a violation has occurred. If the board finds that a violation has occurred, it shall proceed ~~as~~ pursuant to section 9009.

**Sec. B-14. 10 MRSA §9021, sub-§1**, as amended by PL 2007, c. 402, Pt. D, §7, is further amended to read:

**1. Licenses required.** Any person who engages in the business of manufacturing, brokering, distributing, selling, installing or servicing manufactured housing, regardless of the destination of the housing, must first obtain a license issued by the board. The board shall, within a reasonable time, issue a license to any person who intends to manufacture, sell, install or service manufactured housing in this State subject to filing and approval of an application. Any person who is licensed to conduct these activities by other state or federal law is exempt from this requirement when the law provides for specific authority to provide a particular service or preempts the requirement for such a license. Active licensees of the Real Estate Commission are exempt from the licensing requirement for selling or brokering used manufactured housing and new manufactured housing if such housing is sold or offered for sale by a licensee of the board.

**Sec. B-15. 10 MRSA §9021, sub-§2-A**, as amended by PL 2009, c. 241, Pt. A, §4 and PL 2011, c. 286, Pt. B, §5, is further amended to read:

**2-A. Fees.** The Director of the Office of Professional and Occupational Regulation within the De-

partment 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~~ manufactured housing community pursuant to subchapter 6 may not exceed a base fee of \$60 plus an additional amount of up to \$6 per ~~mobile~~ manufactured home site. This fee must accompany each license application, including applications for ~~mobile home park~~ manufactured housing community 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 authorized 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 subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. B-16. 10 MRSA §9022, sub-§3**, as enacted by PL 1977, c. 550, §1, is amended to read:

**3. Mechanics.** Licensed mechanics may install or service ~~manufactured housing~~ HUD-code homes and pre-HUD-code homes and are exempt from any other licensing requirements of any state or political subdivisions, but must obtain any permits required.

**Sec. B-17. 10 MRSA §9022, sub-§4**, as enacted by PL 1999, c. 386, Pt. C, §3, is amended to read:

**4. Installers.** Licensed installers may install ~~manufactured housing~~ and service state-certified modular homes and are exempt from any other licensing requirements of any state or political subdivisions but must obtain any permits required.

**Sec. B-18. 10 MRSA §9043, sub-§2, ¶B**, as enacted by PL 1981, c. 152, §14, is amended to read:

B. The local enforcement agency ~~se~~ reports the compliance to the board in such form and detail as the board may reasonably require.

**Sec. B-19. 10 MRSA §9043, sub-§4**, as enacted by PL 1981, c. 152, §14, is amended to read:

**4. Certification.** The manufacturer of that housing, regardless of the approval alternative used, shall certify that the manufactured housing conforms to all applicable standards whether adopted by the board or local enforcement agency, as the case may be, and that manufacturer's certification ~~shall~~ must be permanently affixed to the manufactured housing in accordance with such requirements as the board may by ~~regulation~~ rule prescribe. Affixation of a certificate to manufactured housing ~~shall signify~~ signifies the manufacturer's representation and warranty to all purchasers of the

housing that the housing was manufactured in accordance with all applicable standards of the board or the local enforcement agency, as the case may be, in effect on the date of manufacture.

**Sec. B-20. 10 MRSA §9044, sub-§3**, as enacted by PL 1981, c. 152, §14, is amended to read:

**3. Suspension of qualification.** Qualification of an inspection agency ~~shall~~ must be suspended by the board if, after appropriate notice and administrative hearing, it determines the agency is no longer qualified as meeting the standards adopted pursuant to subsection 1. The board may request information and documentation and may conduct such reviews and inspections of the work of a qualified agency as the board determines are necessary to reasonably ~~assure~~ ensure continuing compliance of the qualified agency with the standards adopted pursuant to subsection 1.

**Sec. B-21. 10 MRSA §9046**, as amended by PL 2005, c. 344, §21, is further amended to read:

#### **§9046. Complaint investigation**

Upon complaint by any person concerning an alleged violation of this chapter, the board ~~shall~~ may investigate and determine, or ~~shall~~ may cause to be investigated and determined, whether the unit complies with established ~~regulations~~ rules. The board shall notify the complainant of the complainant's right to relief under section 9011, subsection 4. If the board determines the defect occurred in other similar manufactured housing, the board shall notify all ascertainable purchasers of the housing, in accordance with the records obtained from the manufacturer and dealer of their possible right of action under this subchapter. Failure of the manufacturer, dealer or developer dealer to retain reasonable business records or to provide access to those records in response to a request by the board pursuant to this subchapter is a violation of this chapter.

**Sec. B-22. 10 MRSA §9047, sub-§3**, as enacted by PL 1981, c. 152, §14, is amended to read:

**3. Corrections.** The licensed person responsible for ~~a~~ noncompliance with the standards adopted by the board or for the creation of a safety hazard shall promptly ~~effect~~ make or cause to be made such repairs and modifications as may be necessary to correct the nonconformance or eliminate the safety hazard. Any licensed person who fails to make these repairs or modifications ~~shall be~~ is subject to section 9009.

**Sec. B-23. 10 MRSA §9051, sub-§§1 and 2**, as repealed and replaced by PL 1981, c. 152, §15, are amended to read:

**1. Violation.** The board ~~shall~~ may cause to be investigated any complaint of an alleged violation by any licensee or of any ~~regulations~~ rules adopted by the board, either by its own inspector or any authorized agency to determine the validity of the complaint.

A. Within one year and 10 days after installation, any home buyer of new manufactured housing may file a complaint about any defective construction or installation defect.

B. Any person having knowledge of a violation of this chapter may file a complaint within one year of that violation.

**2. Form.** ~~Complaints are to be made on a form prescribed~~ may be made in any form, as approved by the board providing whatever, as long as the complaint includes all information the board ~~deems~~ considers necessary.

**Sec. B-24. 10 MRSA §9061, sub-§6,** as enacted by PL 1981, c. 152, §16, is amended to read:

**6. Manufacturer.** "Manufacturer" means any person engaged in manufacturing or assembling manufactured homes, regardless of the destination of the homes, including any person engaged in importing homes for resale.

**Sec. B-25. 10 MRSA §9066, sub-§1, ¶¶A and D,** as amended by PL 1993, c. 642, §35, are further amended to read:

A. To manufacture for sale, lease, sell, offer for sale or lease or introduce, deliver or import into the State any manufactured housing that is manufactured on or after the effective date of any applicable federal manufactured housing home construction and safety standard that does not comply with that standard;

D. To fail to issue a certification required by 42 United States Code, Section 5415 or to issue a certification to the effect that a manufactured home conforms to all applicable federal manufactured housing home construction and safety standards, if that person in the exercise of due care has reason to know that the certification is false or misleading in a material respect;

**Sec. B-26. 10 MRSA §9066, sub-§3,** as enacted by PL 1981, c. 152, §16, is amended to read:

**3. Persons who did not have reason to know that the home is not in conformity with standards.** Subsection 1, paragraph A, ~~shall~~ does not apply to any person who establishes that ~~he~~ the person did not have reason to know in the exercise of due care that the manufactured home is not in conformity with applicable federal manufactured housing home construction and safety standards; or any person who, prior to the first purchase, holds a certificate by the manufacturer or importer of the manufactured home to the effect that the manufactured home conforms to all applicable federal manufactured housing home construction and safety standards, unless the person knows that the manufactured home does not so conform.

**Sec. B-27. 10 MRSA §9081, sub-§1,** as enacted by PL 1983, c. 553, §17, is amended to read:

**1. Manufactured home.** ~~"Mobile Manufactured home"~~ means a structure, transportable in one or more sections ~~which, that~~ is 8 body feet or more in width and is 32 body feet or more in length and ~~which that~~ is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein.

**Sec. B-28. 10 MRSA §9081, sub-§2,** as amended by PL 1991, c. 391, §7, is further amended to read:

**2. Manufactured housing community.** ~~"Mobile home park Manufactured housing community"~~ means a parcel or adjoining parcel of land, under single ownership, that has been planned and improved for the placement of 3 or more mobile manufactured homes, but does not include a construction camp.

**Sec. B-29. 10 MRSA §9082,** as enacted by PL 1983, c. 553, §17, is amended to read:

#### **§9082. License required**

~~No A person, corporation, firm or copartnership may not~~ conduct, control, manage or operate, for compensation, directly or indirectly, any ~~mobile home park, manufactured housing community~~ unless licensed by the board. Licenses issued ~~shall~~ must be displayed in a place readily visible to customers or other persons using a licensed establishment.

Any person, ~~corporation, firm or copartnership~~ desiring a license shall submit satisfactory evidence, in a form acceptable to the board, of its that person's ability to comply with the minimum standards of this subchapter and all regulations rules adopted thereunder under this subchapter.

**Sec. B-30. 10 MRSA §9083,** as repealed and replaced by PL 2007, c. 402, Pt. D, §13, is amended to read:

#### **§9083. Fees**

Application and license fees for ~~mobile home parks may be~~ manufactured housing communities are set under section 9021, subsection 2-A, including applications for ~~mobile home park~~ manufactured housing community expansion and license renewal. Fees ~~may~~ are also be set under section 9021, subsection 2-A for ~~mobile home park~~ manufactured housing community inspections; for the cost of reviewing engineering and site plans; for costs incurred in evaluating an applicant's eligibility for licensure as a ~~mobile home park~~ manufactured housing community; and for costs incurred in evaluating a licensee's ongoing compliance with the requirements of this subchapter and the rules of the board. Failure to pay costs billed to an applicant

or licensee within 90 days of the billing date constitutes grounds for license revocation, unless an extension for an additional period not to exceed 90 days is granted in writing by the board.

**Sec. B-31. 10 MRSA §9084, first ¶**, as amended by PL 2009, c. 241, Pt. A, §7, is further amended to read:

The board shall, within 30 days following receipt of application, issue a license to operate any ~~mobile home park~~ manufactured housing community that is found to comply with this subchapter and the rules adopted by the board.

**Sec. B-32. 10 MRSA §9084, 2nd ¶**, as amended by PL 1993, c. 642, §38, is further amended to read:

When any applicant is found, based upon an inspection by the board or by municipal inspection made according to section 9088, not in compliance with the requirements of this subchapter or rules adopted and approved pursuant to section 9085 or section 9088, subsection 1, the board may refuse issuance of the initial license but ~~shall~~ may issue a conditional license with such terms and conditions as required by the board except when conditions are found that present a danger to the health and safety of the public. A conditional license may not exceed 90 days. Failure by the conditional licensee to meet the terms and conditions specified permits the board to void the conditional license.

**Sec. B-33. 10 MRSA §9084, 4th ¶**, as amended by PL 2007, c. 402, Pt. D, §14, is further amended to read:

Upon the written request of the board, the Department of Health and Human Services, Maine Center for Disease Control and Prevention shall provide such technical services as may be required by the board to assist with inspections and licensing of new ~~mobile home parks~~ manufactured housing communities. The department may assess the ~~mobile home park~~ manufactured housing community owner a reasonable fee for these services.

**Sec. B-34. 10 MRSA §9085**, as amended by PL 1995, c. 381, §1 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

#### **§9085. Rules**

The board may make and enforce all necessary rules for the administration of this subchapter, and may repeal or amend such rules from time to time as may be in the public interest, insofar as that action is not in conflict with any of the provisions of this subchapter. ~~All rules of the Department of Health and Human Services governing mobile home parks in effect on the effective date of this subchapter remain in effect for a period not to exceed one year, unless sooner amended or repealed by the board. The board~~

~~shall accept as compliance with its rules documentation submitted by a seasonal mobile home park that substantially similar provisions required by other federal or state agencies have been met that duplicate provisions required by the board regarding matters of safety and health. In cases where there are federal and state laws, rules or regulations containing similar provisions, the stricter standard must apply.~~

**Sec. B-35. 10 MRSA §9086**, as enacted by PL 1983, c. 553, §17, is amended to read:

#### **§9086. Right of entry and inspection**

The board and any duly designated officer or employee thereof may enter upon the premises of any ~~mobile home park~~ manufactured housing community licensed pursuant to this subchapter at any reasonable time in order to determine the state of compliance with this subchapter and any rules in force pursuant ~~thereto~~ to this subchapter. The right of entry and inspection ~~shall extend~~ extends to any premises ~~which~~ under its jurisdiction that the board has reason to believe are being operated or maintained without a license, but no such entry or inspection of any premises may be made without the permission of the owner or person in charge ~~thereof of the premises~~ or, after hearing, upon order of the court.

**Sec. B-36. 10 MRSA §9087, first ¶**, as enacted by PL 1983, c. 553, §17, is amended to read:

Any person, ~~corporation, firm or copartnership~~ who ~~shall operate~~ operates any ~~mobile home park~~ manufactured housing community without first obtaining a license as required by this subchapter is guilty of a Class E crime. Each day any such person, ~~corporation, firm or copartnership~~ operates the manufactured housing community without obtaining a license constitutes a separate offense.

**Sec. B-37. 10 MRSA §9088, first ¶**, as enacted by PL 1983, c. 553, §17, is amended to read:

Notwithstanding any other provisions of this subchapter, the board may issue a license to ~~mobile home parks, as defined in section 9081, a~~ manufactured housing community on the basis of an inspection performed by an inspector who works for and is compensated by the municipality in which the establishment is located, but only if the following conditions have been met.

**Sec. B-38. 10 MRSA §9090**, as enacted by PL 1999, c. 203, §1, is amended to read:

#### **§9090. Municipal foreclosure; unlicensed manufactured housing communities**

Notwithstanding any other provision of law, a municipality that, as a result of the nonpayment of property taxes, forecloses and takes possession of real estate on which is located an unlicensed ~~mobile home park~~ manufactured housing community may, if the

municipality determines the ~~park~~ manufactured housing community poses a risk to public health, welfare or safety, close the ~~park~~ manufactured housing community and, with at least 30 days' prior written notice, evict the inhabitants of the ~~park~~ community. A municipality that takes possession of real estate on which is located an unlicensed ~~mobile home park~~ manufactured housing community does not enter a landlord and tenant relationship with any inhabitant of the ~~park~~ community and is not subject to the provisions of chapter 953 or any other laws governing relations between a landlord and tenant. This section does not apply to a municipality that is or becomes the licensed operator of the ~~mobile home park~~ manufactured housing community.

**Sec. B-39. 14 MRSA §6001, sub-§1**, as amended by PL 1995, c. 372, §1, is further amended to read:

**1. Persons against whom process may be maintained.** Process of forcible entry and detainer may be maintained against a disseisor who has not acquired any claim by possession and improvement; against a tenant holding under a written lease or contract or person holding under such a tenant; against a tenant where the occupancy of the premises is incidental to the employment of a tenant; at the expiration or forfeiture of the term, without notice, if commenced within 7 days from the expiration or forfeiture of the term; against a tenant at will, whose tenancy has been terminated as provided in section 6002; and against ~~mobile home~~ manufactured housing owners and tenants pursuant to Title 10, chapter 951, subchapter ~~VI~~ 6. When there are multiple occupants of an apartment or residence, the process of forcible entry and detainer is effective against all occupants if the plaintiff names as parties "all other occupants" together with all adult individuals whose names appear on the lease or rental agreement for the premises or whose tenancy the plaintiff has acknowledged by acceptance of rent or otherwise.

**Sec. B-40. 33 MRSA §589, sub-§6**, as amended by PL 2013, c. 209, §5, is further amended to read:

**6. Membership camping operator.** "Membership camping operator" means any person who offers camping or outdoor recreational opportunities through the use of camping sites and who solicits membership camping contracts paid for in cash, by installment or periodic payments, including annual fees, by which the purchasers of memberships obtain the right to use camping sites or other camping or recreational facilities of the membership camping operator. "Membership camping operator" does not include ~~mobile home parks~~ manufactured housing communities as defined in Title 10, section 9081. A membership camping operator is not a landlord pursuant to the landlord and tenant laws as provided in Title 14.

**Sec. B-41. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 10, chapter 951, subchapter 6, in the subchapter headnote, the words "mobile home parks" are amended to read "manufactured housing communities" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

## PART C

**Sec. C-1. 32 MRSA §1501, first ¶**, as amended by PL 2007, c. 402, Pt. J, §8, is further amended to read:

The State Board of Funeral Service may determine the qualifications necessary to enable any person to lawfully engage in the funeral service profession and operate a funeral establishment. The board shall examine all applicants for licenses for the practice of funeral service and shall issue a license to all persons who successfully pass that examination and pay the fee as set under section 1504. To be licensed for the practice of funeral service under this chapter, a person must be at least 18 years of age, ~~a resident of this State~~, must have successfully completed a prescribed course at a school or schools approved by the State Board of Funeral Service and must have served as a practitioner trainee for not less than 12 months under the personal supervision of a person licensed for the practice of funeral service and approved by the board. Each applicant shall demonstrate trustworthiness and competency to engage in the profession of funeral service in such a manner as to safeguard the interests of the public.

**Sec. C-2. 32 MRSA §1503-A**, as amended by PL 2007, c. 402, Pt. J, §11, is further amended to read:

### **§1503-A. Practitioner trainee**

The board may issue a practitioner trainee license to an individual seeking to obtain the necessary experience to be licensed as a practitioner of funeral service. An individual who receives a practitioner trainee license shall register with the Maine Apprenticeship Program established under Title 26, section 3202 and complete 2,000 hours of training with a funeral establishment approved by the board under the instruction and supervision of a licensed funeral practitioner who is actively engaged in that practice.

~~In order for any person to receive credit for time served as a practitioner trainee, that person must have served 2,000 hours of employment with a funeral establishment approved by the State Board of Funeral Service under the instruction and supervision of a person licensed for the practice of funeral service and actively engaged in that practice, and must be licensed as a practitioner trainee with the board. Upon terminating employment, the practitioner trainee shall notify the board immediately, giving the date of termination. The practitioner trainee must repeat this proce-~~

ture with all subsequent employers, accurately showing the dates of beginning and of terminating apprenticeship employment. Before a funeral service license may be issued, the practitioner trainee must file with the board a certification of the trainee time served, signed by the practitioner trainee's employer or employers, before a notary public. Practitioner trainee requirements are satisfied in the case of an applicant who presents proof of present licensure as a practitioner of funeral service in another state at the time application is made for licensure as a practitioner of funeral service in this State.

## PART D

**Sec. D-1. 32 MRSA §3301, sub-§5**, as amended by PL 1999, c. 386, Pt. L, §1, is further amended to read:

**5. Master plumber.** "Master plumber" means any ~~person, firm or corporation,~~ individual qualified under this chapter, engaging in, or about to engage in, the business of installing plumbing or plumbing systems. The license must specify the name of the ~~person, firm or corporation~~ individual to whom the license is issued ~~and in the case of a firm or corporation the license must further specify the licensed master plumber in whose name it is issued, pursuant to the requirements of section 3507.~~

**Sec. D-2. 32 MRSA §3301, sub-§6**, as amended by PL 1999, c. 386, Pt. L, §1, is further amended to read:

**6. Trainee plumber.** "Trainee plumber" means any person who is engaged in assisting in making plumbing installations under the direct supervision of ~~a one or more licensed journeyman plumber or master plumber plumbers or licensed master plumbers,~~ whether for the purpose of learning the trade or otherwise.

**Sec. D-3. 32 MRSA §3302, sub-§1**, as amended by PL 2009, c. 344, Pt. D, §12 and affected by Pt. E, §2, is further amended to read:

**1. License required.** A license is required for any ~~person, corporation, partnership or other entity~~ individual who is engaged in plumbing or performing plumbing installations. No license is required for any activity for which a permit is not required under Title 30, section 3223 or its successor. This section does not apply to the following:

A. Plumbing by regular employees of public utilities as defined in Title 35-A, section 102, when working as such;

B. Plumbing by oil burner technicians, duly licensed under chapter 139, and propane and natural gas installers, licensed under chapter 139, except that this exception only applies to hot and cold water connections to existing piping in the same room where the installation is taking place

and does not apply beyond any existing branch connection supplying water; ~~and~~

C. Plumbing by a person in a single-family residence occupied or to be occupied by that person as that person's bona fide personal abode ~~provided that~~ as long as the installation conforms with board laws and rules; ~~and~~

D. Plumbing by a pump installer who is duly licensed pursuant to section 4700-I, subsection 2, except that this exception is limited to installing piping from the cold water distribution pipe at the pressure tank's main shut-off valve to the existing water supply piping as long as the piping is located in the same room as the tank, the length of the piping is no longer than 15 feet and the piping does not extend beyond any existing branches. Such plumbing must conform to the board's laws and rules.

**Sec. D-4. 32 MRSA §3403-B, sub-§2**, as enacted by PL 1997, c. 727, Pt. C, §9, is amended to read:

**2. Plumbing code violations.** Any person who violates the rules adopted pursuant to this section ~~or is~~ subject to sanctions pursuant to Title 10, section 8003, subsection 5-A and any person who violates a municipal ordinance adopted pursuant to Title 30-A, sections 4201 and 4211 must be penalized in accordance with Title 30-A, section 4452. Enforcement of the rules is the joint responsibility of the municipalities and the board. The board or a municipality may seek to enjoin violations of the rules or municipal ordinances. In the prosecution of a violation by a municipality, the court shall award reasonable attorney's fees to a municipality if that municipality is the prevailing party, unless the court finds that special circumstances make the award of fees unjust.

**Sec. D-5. 32 MRSA §3501, sub-§3**, as amended by PL 2003, c. 250, Pt. B, §3, is further amended to read:

**3. Trainee license.** The board may issue a trainee plumber license without examination to any person who submits a written application on a form supplied by the board with the required fee set under section 3501-B and who provides satisfactory evidence that the person ~~has entered the employ of~~ is employed by a licensed master plumber to or an entity that employs a licensed master plumber or plumbers and will assist the licensed master plumber or plumbers as a plumber's trainee plumber. Any person employed as a trainee plumber shall apply for a license within 10 business days after the day the person commences employment.

**Sec. D-6. 32 MRSA §3501-A**, as amended by PL 2003, c. 250, Pt. B, §4, is further amended to read:

**§3501-A. Examinations**

An applicant for a master, journeyman or journeyman-in-training ~~plumbing plumber~~ license shall present to the board a written application for examination, containing information that the board requires, accompanied by the prescribed fee as set under section 3501-B. Examinations must be in whole or in part in writing and of a thorough and practical character commensurate with the responsibilities of the prospective license holder.

The passing grade on a master ~~plumbing plumber~~ license examination may not be less than 75%. The passing grade on a journeyman ~~plumbing plumber~~ license examination may not be less than 70%. ~~A candidate failing one examination may apply for reexamination, which may be granted upon payment of a fee established by the board. Any candidate for licensure having an average grade of less than 50% may not apply for reexamination for one year.~~

**Sec. D-7. 32 MRSA §3507**, as amended by PL 1999, c. 386, Pt. L, §12, is repealed.

**PART E**

**Sec. E-1. 32 MRSA §7054-A, last ¶**, as enacted by PL 1987, c. 395, Pt. B, §18, is repealed.

**PART F**

**Sec. F-1. 32 MRSA §13067-A, sub-§9**, as enacted by PL 2007, c. 402, Pt. BB, §12, is amended to read:

**9. Suspension or revocation of license.** Having had a professional or occupational license ~~suspended or revoked for disciplinary reasons or an application rejected for reasons related to untrustworthiness within 3 years prior to the date of application or had a professional or occupational license suspended or revoked for disciplinary reasons;~~ and

**Sec. F-2. 32 MRSA §13180**, as enacted by PL 1987, c. 395, Pt. A, §212, is amended to read:

**§13180. Termination of employment**

When any broker, associate broker or real estate sales agent is discharged or terminates ~~his~~ employment with a brokerage agency, ~~it shall be the duty of the designated broker to shall immediately deliver the license of the broker, associate broker or real estate sales agent to the commission. The designated broker shall simultaneously address send a communication to the last known address of the broker, associate broker or sales agent advising the broker, associate broker or sales agent that his license has been delivered or mailed to the commission has been notified. A The designated broker shall deliver a copy of the communication shall accompany the license when delivered to the commission.~~

Upon receipt of the notice of termination by the licensee, the license ~~shall become~~ is void and may only be reinstated or placed on inactive status after proper application and payment of the prescribed fee. It is unlawful for any broker, associate broker or real estate sales agent to perform any brokerage services without first receiving a new active license.

**Sec. F-3. 32 MRSA §13182**, as amended by PL 2007, c. 402, Pt. BB, §19, is further amended to read:

**§13182. Agency license renewal**

Agency licenses expire on December 31st, or at such times as the Commissioner of Professional and Financial Regulation may designate, of each biennial period for which it was issued. Upon application and payment of the fee as set under section 13007, a renewal license is issued for each ensuing biennial period in the absence of any reason or condition that might warrant denial of a license. The suspension, revocation or expiration of an agency or designated broker's license automatically ~~suspends voids~~ every license granted to any person by virtue of the person's employment by the agency whose license has been suspended, revoked or expired pending a change of employer and the issuance of a new license. The new license is issued without charge if granted during the same biennial period in which the original was granted.

**Sec. F-4. 32 MRSA §13183**, as enacted by PL 1987, c. 395, Pt. A, §212, is amended to read:

**§13183. Acts authorized**

An agency, through its designated broker, may perform all of the brokerage services contemplated by this chapter and may employ or retain others to perform brokerage services on behalf of the agency. The designated broker may also delegate any of ~~his~~ the designated broker's duties and authority provided for under this chapter to an agency affiliate, but when doing so ~~shall~~ is not be relieved of any responsibility imposed by this chapter.

**Sec. F-5. 32 MRSA §13193**, as amended by PL 2013, c. 217, Pt. K, §7, is further amended to read:

**§13193. Nonresidents**

In lieu of education and experience requirements, nonresident original license applicants must hold a similar active license in good standing in ~~their place of legal residence~~ another jurisdiction and ~~shall~~ must appear at such time and place as the director may designate for the purpose of written examination pertaining to Maine real estate laws.

**Sec. F-6. 32 MRSA §13198, sub-§3**, as amended by PL 2007, c. 402, Pt. BB, §27, is further amended to read:

**3. Acts authorized.** Each broker license granted entitles the holder to perform all of the acts contemplated under this chapter on behalf of an agency, including being designated by the agency to act for it ~~or as a branch office manager.~~

**Sec. F-7. 32 MRSA §13199, sub-§3,** as amended by PL 2007, c. 402, Pt. BB, §28, is further amended to read:

**3. Acts authorized.** Each associate broker license granted entitles the holder to perform all of the acts contemplated by this chapter, on behalf of an agency, ~~except serving as a designated broker or a branch office manager.~~

### PART G

**Sec. G-1. 32 MRSA §14507, sub-§2,** as enacted by PL 1993, c. 444, §1, is amended to read:

**2. Employees of the seller.** The names and addresses of employees of the seller, ~~their dates of birth and social security numbers; and~~

**Sec. G-2. 32 MRSA §14507, sub-§3,** as amended by PL 2007, c. 402, Pt. KK, §4, is further amended to read:

**3. Statement.** At the time of making the application, a statement of all civil judgments or criminal convictions secured or outstanding against the seller that arises out of home repair services during the 4 years prior to making the application, all criminal and civil suits pending against the seller that arise out of home repair services and all criminal convictions and criminal suits pending for theft against the seller.

The seller shall promptly notify the department of all changes or additions in the information required by this section.

Knowingly, intentionally or recklessly making a false statement in an application is grounds for denial of the application or revocation of the license; ~~and.~~

**Sec. G-3. 32 MRSA §14507, sub-§4,** as enacted by PL 1993, c. 444, §1, is repealed.

### PART H

**Sec. H-1. 32 MRSA §15109, sub-§1, ¶B,** as enacted by PL 1995, c. 560, Pt. H, §14 and affected by §17, is repealed.

**Sec. H-2. 32 MRSA §15109, sub-§3, ¶B,** as enacted by PL 1995, c. 560, Pt. H, §14 and affected by §17, is repealed.

**Sec. H-3. 32 MRSA §15113, last ¶,** as amended by PL 2013, c. 70, Pt. C, §28, is further amended to read:

If a boiler or pressure vessel subject to this section is moved from one location to another, notice must be given to the director of the removal and of the new

location in which the boiler or pressure vessel is to be set up.

### PART I

**Sec. I-1. 32 MRSA §18133, sub-§2, ¶B,** as amended by PL 2015, c. 169, §5, is further amended to read:

B. Six months of licensed practical experience as an apprentice oil burner technician or solid fuel technician and completion of ~~an~~ a board-approved oil burner or solid fuel technician course at a community college, career and technical education center or career and technical education region or a comparable institute in the State or another state consisting, at a minimum, of 160 hours of study, of which at least 75 hours are made up of laboratory work on oil burning equipment and related systems; or

**Sec. I-2. 32 MRSA §18135,** as enacted by PL 2009, c. 344, Pt. C, §3 and affected by Pt. E, §2, is amended to read:

#### §18135. Propane and natural gas technician

**1. Scope of license.** A propane and natural gas technician may install, repair or service propane or natural gas equipment and must be authorized in one or more of the following authorities:

A. Appliance connection and service, which permits the technician to install and service propane and natural gas appliances up to 500,000 BTUs per appliance;

B. Delivery, which permits the technician to deliver propane, either by liquid transfer into a stationary container on the property of the consumer or by placing a portable container on the property of the consumer;

C. Large equipment connection and service, which permits the technician to install and service propane and natural gas appliances over 500,000 BTUs per appliance;

D. Plant operation, which permits the technician to work at a propane facility as defined in NFPA standards, Number 58; or

E. Tank setting and outside piping, which permits the technician to set and maintain propane tanks and outside piping.

**2. Professional qualifications.** Each applicant for a propane and natural gas technician license must pass an examination approved by the board and meet one of the following qualifications:

A. Successful completion of the certified employee training program of a national propane gas association; or

B. Successful completion of a board-approved propane or natural gas course at a Maine community college, career and technical education center or career and technical education region or a comparable institute of this State or another state and passage of an examination approved by the board.

An out-of-state applicant must present satisfactory evidence to the board of experience in installing, cleaning, servicing, altering and repairing propane and natural gas burning equipment.

**Sec. I-3. 32 MRSA §18138**, as enacted by PL 2009, c. 344, Pt. C, §3 and affected by Pt. E, §2, is amended to read:

**§18138. Oil energy auditor**

**1. Scope of license.** ~~A limited~~ An oil energy auditor's privileges to practice are restricted to the performance of combustion safety and efficiency testing on oil-fired space-heating equipment or water-heating equipment to ensure health and safety standards and do not include any adjustment of oil-fired space-heating equipment or water-heating equipment.

**2. Professional qualifications.** ~~A limited~~ An oil energy auditor must provide to the board, at a minimum, satisfactory evidence of relevant training and written and field certification that conform to standards established by a nationally recognized building performance industry certification and quality assurance program, the equivalent residential energy auditor certification program in the State or an equivalent training and education program as determined by the board.

**Sec. I-4. 32 MRSA §18139**, as enacted by PL 2009, c. 344, Pt. C, §3 and affected by Pt. E, §2, is amended to read:

**§18139. Propane and natural gas energy auditor**

**1. Scope of license.** A ~~limited~~ propane energy auditor's privileges are restricted to the performance of combustion safety and efficiency testing on natural gas-fired or propane gas-fired space-heating equipment or water-heating equipment to ensure health and safety standards and do not include any adjustment of natural or propane gas-fired space-heating equipment or water-heating equipment.

**2. Professional qualifications.** A ~~limited~~ propane energy auditor must provide to the board, at a minimum, satisfactory evidence of relevant training and written and field certification that conform to standards established by a nationally recognized building performance industry certification and quality assurance program, the equivalent residential energy auditor certification program in the State or an equivalent training and education program as determined by the board.

**Sec. I-5. 32 MRSA §18140**, as enacted by PL 2009, c. 344, Pt. C, §3 and affected by Pt. E, §2, is amended to read:

**§18140. Tank installer**

**1. Scope of license.** A ~~limited~~ tank installer's privileges to practice are restricted to installing outside residential heating oil tanks at manufactured housing as defined by Title 10, section 9002, subsection 7, paragraph A.

**2. Issuance of license.** The following provisions govern the issuance of a ~~limited~~ tank installer's license.

A. A ~~limited~~ tank installer's license may be issued to:

- (1) A licensed manufactured housing mechanic as defined in Title 10, section 9002; or
- (2) The owner of a manufactured housing dealership for the ~~limited~~ purpose of installing heating oil tanks at manufactured housing that has been sold by the owner. The license is revoked upon the owner ceasing to operate as a manufactured housing dealer.

B. A ~~limited~~ tank installer's license may be issued jointly to a licensed manufactured housing dealer, as defined in Title 10, section 9002, and an individual employee of the dealer who is named as the corecipient of the joint ~~limited~~ tank installer's license. The corecipient dealer and employee are restricted to installing heating oil tanks at manufactured housing that was sold by the dealer. The joint ~~limited~~ tank installer's license is revoked upon termination of the employee named as the corecipient of the joint ~~limited~~ tank installer's license from the employ of the dealer.

**3. Professional qualifications.** A ~~limited~~ tank installer must provide satisfactory evidence to the board of completion of a board-approved training program of at least 4 hours for proper installation of an outside oil tank.

**Sec. I-6. 32 MRSA §18141**, as enacted by PL 2009, c. 344, Pt. C, §3 and affected by Pt. E, §2, is amended to read:

**§18141. Wood pellet technician**

A ~~limited~~ wood pellet technician's privileges to practice are restricted to cleaning the ash pan, cleaning the burn pot, scraping and cleaning the distribution tubes, emptying fines from the collection box and cleaning the fan.

**PART J**

**Sec. J-1. 32 MRSA §18325, sub-§1-A** is enacted to read:

**1-A. Authority to file in court.** If the board concludes that suspension or revocation of a license is

warranted, the board may file a complaint in the District Court in accordance with Title 4, chapter 5.

See title page for effective date.

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## CHAPTER 211

### H.P. 1069 - L.D. 1551

#### An Act To Amend the Maine Tax Laws

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

#### PART A

**Sec. A-1. 5 MRSA §1710-J**, as amended by PL 2001, c. 652, §1, is repealed and the following enacted in its place:

#### **§1710-J. Access to information**

The Department of Administrative and Financial Services shall provide certain information and data to the committee in order to assist the committee in performing its statutory duties. The committee members and staff are subject to the provisions governing confidentiality of tax information described in Title 36, section 191 with regard to disclosures made pursuant to this section.

**1. Statistical data.** The Associate Commissioner for Tax Policy shall provide to the committee upon request any statistical tax data that may be published pursuant to Title 36, section 191, subsection 2, paragraph B.

**2. Capital gains data.** The Associate Commissioner for Tax Policy shall provide information annually to the committee before the committee's December 1st report pursuant to section 1710-F concerning the amount of actual capital gains and losses experienced by resident taxpayers filing income tax returns in the State under Title 36, Part 8 for tax years ending in the calendar year 2 years prior. Data reported concerning capital gains and losses may be distributed by decile or quartile. In the absence of actual data, the Associate Commissioner for Tax Policy may provide estimates of the capital gains or losses experienced.

**3. Confidential tax information.** Consistent with Title 36, section 191, subsection 2, paragraph CCC, the Associate Commissioner for Tax Policy may provide to the committee any additional tax information, including confidential tax information, that will assist the committee in performing its statutory duties. Any confidential tax information must be disclosed in only oral or paper form; any disclosure in paper form must be returned to the State Tax Assessor or destroyed once the committee chair determines that the committee has completed its use of the information. The committee shall discuss disclosed confidential tax

information in a manner that preserves the confidentiality of that information, including meeting in executive session not open to the public in accordance with Title 1, section 405.

**Sec. A-2. 36 MRSA §175-A, sub-§1**, as amended by PL 1999, c. 699, Pt. D, §26 and affected by §30, is further amended to read:

**1. Filing.** ~~¶~~ Before August 1, 2017, if any tax imposed by this Title or imposed by any other provision of law and authorized to be collected by the bureau is not paid when due and no further administrative or judicial review of the assessment is available pursuant to law, the assessor may file in the registry of deeds of any county, with respect to real property, or in the office of the Secretary of State, with respect to property of a type a security interest in which may be perfected by a filing in such office under Title 11, Article 9-A, a notice of lien specifying the amount of the tax, interest, penalty and costs due, the name and last known address of the person liable for the amount and, in the case of a tax imposed by this Title, the fact that the assessor has complied with all the provisions of this Title in the assessment of the tax. The lien arises at the time the assessment becomes final and constitutes a lien upon all property, whether real or personal, then owned or thereafter acquired by that person in the period before the expiration of the lien. The lien imposed by this section is not valid against any mortgagee, pledgee, purchaser, judgment creditor or holder of a properly recorded security interest until notice of the lien has been filed by the assessor, with respect to real property, in the registry of deeds of the county where such property is located and, with respect to personal property, in the office in which a financing statement for such personal property is normally filed. Notwithstanding this subsection, a tax lien upon personal property does not extend to those types of personal property not subject to perfection of a security interest by means of the filing in the office of the Secretary of State. The lien is prior to any mortgage or security interest recorded, filed or otherwise perfected after the notice, other than a purchase money security interest perfected in accordance with Title 11, Article 9-A. In the case of any mortgage or security interest properly recorded or filed prior to the notice of lien that secures future advances by the mortgagee or secured party, the lien is junior to all advances made within 45 days after filing of the notice of lien, or made without knowledge of the lien or pursuant to a commitment entered into without knowledge of the lien. Subject to the limitations in this section, the lien provided in this ~~section~~ subsection has the same force, effect and priority as a judgment lien and continues for 10 years from the date of recording unless sooner released or otherwise discharged. The lien may, within the 10-year period, or within 10 years from the date of the last extension of the lien in the manner provided in this subsection, be extended by filing for record in the

appropriate office a copy of the notice and, from the time of filing, that lien must be extended for 10 years unless sooner released or otherwise discharged.

This subsection applies to assessments made before August 1, 2017.

**Sec. A-3. 36 MRSA §175-A, sub-§1-A** is enacted to read:

**1-A. Filing of tax lien.** Beginning August 1, 2017, if any tax imposed by this Title or any tax imposed by any other provision of law and authorized to be collected by the bureau is not paid when due and no further administrative or judicial review of the assessment is available pursuant to law, the amount of the assessment, including the tax, interest, penalties and costs, is a lien in favor of the assessor. The lien arises at the time the assessment is made and constitutes a lien upon all property, whether real or personal, owned by the person liable for the assessment at the time the lien arises or acquired by that person in the period after the lien arises until the expiration of the lien. The assessor may file in the registry of deeds of any county, with respect to real property, or in the office of the Secretary of State, with respect to property of a type for which a security interest may be perfected by a filing in such office under Title 11, Article 9-A, a notice of lien specifying the amount of the tax, interest, penalties and costs due, the name and last known address of the person liable for the amount and, in the case of a tax imposed by this Title, the fact that the assessor has complied with all the provisions of this Title in the assessment of the tax. Filing of the lien by the assessor constitutes notice of lien for, and secures payment of, both the original assessment and all subsequent assessments of tax against the same person, until such time as the lien is released or otherwise discharged as provided for in this section. The lien imposed by this section is not valid against any mortgagee, pledgee, purchaser, judgment creditor or holder of a properly recorded security interest until notice of the lien has been filed by the assessor, with respect to real property, in the registry of deeds of the county where such property is located and, with respect to personal property, in the office in which a financing statement for such personal property is normally filed. Notwithstanding this subsection, a tax lien upon personal property not subject to perfection of a security interest by means of the filing in the office of the Secretary of State. The lien is prior to any mortgage or security interest recorded, filed or otherwise perfected after the notice, other than a purchase-money security interest perfected in accordance with Title 11, Article 9-A and except as provided in Part 2. In the case of any mortgage or security interest properly recorded or filed prior to the notice of lien that secures future advances by the mortgagee or secured party, the lien is junior to all advances made within 45 days after filing of the notice of lien, or made without knowledge of

the lien or pursuant to a commitment entered into without knowledge of the lien. Subject to the limitations in this section, the lien provided in this subsection has the same force, effect and priority as a judgment lien and continues for 10 years from the date of recording unless sooner released or otherwise discharged. The lien may, within the 10-year period, or within 10 years from the date of the last extension of the lien in the manner provided in this subsection, be extended by filing for record in the appropriate office a copy of the notice and, from the time of filing, that lien must be extended for 10 years unless sooner released or otherwise discharged. If the lien is extended within the 10-year period, or within 10 years from the date of the last extension of the lien as provided for in this subsection, the extended lien relates back to the date the lien was first filed.

This subsection applies to assessments made on or after August 1, 2017.

**Sec. A-4. 36 MRSA §175-A, sub-§3**, as amended by PL 1997, c. 526, §10, is further amended to read:

**3. Enforcement.** The lien provided for by subsection 1 or 1-A may be enforced at any time after the tax liability with respect to which the lien arose becomes collectible under section 173, subsection 1 by a civil action brought by the Attorney General in the name of the State in the Superior Court of the county in which the property is located to subject any property, of whatever nature, in which the taxpayer has any right, title or interest, to the payment of such tax or liability. The court shall, after the parties have been duly notified of the action, proceed to adjudicate all matters involved in the action and finally determine the merits of all claims to and liens upon the property and, in all cases where a claim or interest of the State therein is established, may decree a sale of the property by the proper officer of the court and a distribution of the proceeds of such sale according to the findings of the court. If the property is sold to satisfy a lien held by the State, the State may bid at the sale such sum, not exceeding the amount of that lien plus expenses of sale, as the assessor directs.

**Sec. A-5. 36 MRSA §175-A, sub-§4**, as corrected by RR 1997, c. 1, §28, is amended to read:

**4. Recording fees part of tax liability.** Fees paid by the assessor to registrars of deeds for recording notices of lien pursuant to subsection 1 or 1-A and notices of release of a lien pursuant to subsection 2 may be added to the tax liability that gave rise to the lien and, in the case of a tax imposed by this Title, may be collected by all the methods provided for in chapter 7. In the case of other obligations owed to the State and authorized to be collected by the bureau, the fees may be collected by any collection method authorized by this section or section 176-A.

**Sec. A-6. 36 MRSA §186, first ¶**, as amended by PL 2009, c. 625, §3, is further amended to read:

A person who fails to pay any tax, other than a tax imposed pursuant to chapter 105, on or before the last date prescribed for payment is liable for interest on the tax, calculated from that date and compounded monthly. The rate of interest for any calendar year equals the highest prime rate as published in the Wall Street Journal on the first day of September of the preceding calendar year or, if the first day of September falls on a weekend or holiday, on the next succeeding business day, rounded up to the next whole percent plus 3 percentage points. The rate of interest for any calendar year beginning on or after January 1, 2018 equals the prime rate as published in the Wall Street Journal on the first day of September of the preceding calendar year or, if the first day of September falls on a weekend or holiday, on the next succeeding business day, rounded up to the next whole percent plus one percentage point. For purposes of this section, the last date prescribed for payment of tax must be determined without regard to any extension of time permitted for filing a return. A tax that is upheld on administrative or judicial review bears interest from the date on which payment would have been due in the absence of review. Any amount that has been erroneously refunded and is recoverable by the assessor bears interest at the rate determined pursuant to this section from the date of payment of the refund. A credit or reimbursement that has been allowed or paid pursuant to this Title and is recoverable by the assessor bears interest at the rate determined pursuant to this section from the date it was allowed or paid. Interest accrues automatically, without being assessed by the assessor, and is recoverable by the assessor in the same manner as if it were a tax assessed under this Title. If the failure to pay a tax when required is explained to the satisfaction of the assessor, the assessor may abate or waive the payment of all or any part of that interest.

**Sec. A-7. 36 MRSA §191, sub-§2, ¶I**, as amended by PL 1985, c. 764, §3, is further amended to read:

I. The disclosure of information acquired pursuant to Part 2 and chapter 367, except for information identified as confidential within those provisions;

**Sec. A-8. 36 MRSA §191, sub-§2, ¶R**, as amended by PL 2005, c. 332, §6, is further amended to read:

R. The disclosure to the Department of Health and Human Services and to the Department of Administrative and Financial Services, Division of Financial and Personnel Services of information relating to the administration and collection of the taxes imposed by chapter 358, chapter 373, chapter 375 and chapter 377 for the purposes of

administration of those taxes and the financial accounting and revenue forecasting of those taxes;

**Sec. A-9. 36 MRSA §191, sub-§2, ¶CCC** is enacted to read:

CCC. The disclosure of information to the Revenue Forecasting Committee or its staff under Title 5, section 1710-J, by or at the direction of the Associate Commissioner for Tax Policy when pertinent to the associate commissioner's duties of providing revenue forecasting analysis to the committee. The information may be disclosed only in oral or paper form and only after notice to the State Tax Assessor of the intended disclosure. The associate commissioner shall apprise the committee members of the provisions regarding confidentiality of such information, of the continuing confidential nature of the disclosed information and the provision in Title 5, section 1710-J, allowing discussion of the information by the committee meeting in executive session not open to the public.

**Sec. A-10. 36 MRSA §691, sub-§1, ¶A**, as amended by PL 2009, c. 571, Pt. II, §1 and affected by §5, is further amended to read:

A. "Eligible business equipment" means qualified property that, in the absence of this subchapter, would first be subject to assessment under this Part on or after April 1, 2008. "Eligible business equipment" includes, without limitation, repair parts, replacement parts, replacement equipment, additions, accessions and accessories to other qualified business property that first became subject to assessment under this Part before April 1, 2008 if the part, addition, equipment, accession or accessory would, in the absence of this subchapter, first be subject to assessment under this Part on or after April 1, 2008. "Eligible business equipment" also includes inventory parts.

"Eligible business equipment" does not include:

- (1) Office furniture, including, without limitation, tables, chairs, desks, bookcases, filing cabinets and modular office partitions;
- (2) Lamps and lighting fixtures used primarily for the purpose of providing general purpose office or worker lighting;
- (3) Property owned or used by an excluded person;
- (4) Telecommunications personal property subject to the tax imposed by section 457;
- (5) Gambling machines or devices, including any device, machine, paraphernalia or equipment that is used or usable in the playing phases of any gambling activity as that term is defined in Title 8, section 1001, subsection

15, whether that activity consists of gambling between persons or gambling by a person involving the playing of a machine. "Gambling machines or devices" includes, without limitation:

- (a) Associated equipment as defined in Title 8, section 1001, subsection 2;
  - (b) Computer equipment used directly and primarily in the operation of a slot machine as defined in Title 8, section 1001, subsection 39;
  - (c) An electronic video machine as defined in Title 17, section 1831, subsection 4;
  - (d) Equipment used in the playing phases of lottery schemes; and
  - (e) Repair and replacement parts of a gambling machine or device;
- (6) Property located at a retail sales facility and used primarily in a retail sales activity unless the property is owned by a business that operates a retail sales facility in the State exceeding 100,000 square feet of interior customer selling space that is used primarily for retail sales and whose Maine-based operations derive less than 30% of their total annual revenue on a calendar year basis from sales that are made at a retail sales facility located in the State. For purposes of this subparagraph, the following terms have the following meanings:
- (a) "Primarily" means more than 50% of the time;
  - (b) "Retail sales activity" means an activity associated with the selection and retail purchase of goods or services or the rental of tangible personal property. "Retail sales activity" does not include production as defined in section 1752, subsection 9-B; and
  - (c) "Retail sales facility" means a structure used to serve customers who are physically present at the facility for the purpose of ~~selecting~~ selection and purchasing ~~retail purchase of goods or services at retail or for renting~~ rental of tangible personal property. "Retail sales facility" does not include a separate structure that is used as a warehouse or call center facility;
- (7) Property that is not entitled to an exemption by reason of the additional limitations imposed by subsection 2; or

(8) Personal property that would otherwise be entitled to exemption under this subchapter used primarily to support a telecommunications antenna used by a telecommunications business subject to the tax imposed by section 457.

**Sec. A-11. 36 MRSA §§696 and 697**, as enacted by PL 2005, c. 623, §1, are amended to read:

**§696. Supplemental assessment**

If the assessor makes a determination under section 695 or the bureau makes a determination pursuant to section 697 that property receiving an exemption under this subchapter was not entitled to an exemption under this subchapter, the assessor shall by means of a supplemental assessment assess the property for which the exemption was improperly received, plus costs and interest. The taxpayer may contest a supplemental assessment under this subchapter either by using the procedures provided in subchapter 8 or by pursuing such other actions or proceedings by which other property tax exemptions under this chapter may be reviewed or adjudicated. The supplemental assessment must be assessed and collected pursuant to section 713. The bureau shall deduct the amount of the portion of the supplemental assessment that pertains to any funds previously reimbursed to the municipality under section 694 from the next reimbursement issued to the municipality.

**§697. Audits; determination of bureau**

The bureau may audit the records of a municipality to ensure compliance with this subchapter. The bureau may independently review the records of a municipality to determine if exemptions have been properly approved. If the bureau determines that an exemption was improperly approved for any of the 3 years immediately preceding the determination, the bureau shall ensure, by setoff against other payments due the municipality under this subchapter or subchapter 4-B, that the municipality is not reimbursed for the exemption. A municipality that is aggrieved by a determination of the bureau under this subchapter may appeal pursuant to section 151.

**Sec. A-12. 36 MRSA §698**, as enacted by PL 2005, c. 623, §1, is repealed.

**Sec. A-13. 36 MRSA §1504, sub-§9, ¶D**, as enacted by PL 1987, c. 196, §9, is amended to read:

~~Each marina or boat yard~~ Any person leasing, selling or otherwise providing for consideration storage ~~space or leasing,~~ mooring or docking spaces for 10 or more consecutive days during the period from April 15th of any year and April 15th of the next year to watercraft not registered in the State shall maintain a list of all such watercraft. The list ~~shall~~ must contain, with respect to each watercraft:

- (1) The name of the vessel;
- (2) The name and address of the owner of the watercraft;
- (3) The state of registration or port of hail;
- (4) The approximate length of the vessel; and
- (5) The type of vessel.

~~These lists shall be made available by marinas and boat yards. A person required by this section to maintain a list of watercraft must retain the list for 3 years and must make the list available for inspection during normal business hours by law enforcement officers and by municipal officials. Marina and boat yard owners must retain these lists for 3 years.~~

**Sec. A-14. 36 MRSA §6652, sub-§1-C, ¶B,** as amended by PL 2001, c. 396, §47, is further amended to read:

B. Except as provided in paragraph C, reimbursement may not be made for property used to produce or transmit energy primarily for sale. Energy is primarily for sale if during the property tax year ~~immediately preceding the property tax year~~ for which a claim is being made 2/3 or more of the useful energy is directly or indirectly sold and transmitted through the facilities of a transmission and distribution utility as defined in Title 35-A, section 102, subsection 20-B.

## PART B

**Sec. B-1. 36 MRSA §1760, sub-§33,** as repealed and replaced by PL 1977, c. 238, is amended to read:

**33. Diabetic supplies.** All equipment and supplies, whether medical or otherwise, used in the diagnosis or treatment of human diabetes;

**Sec. B-2. 36 MRSA §1760, sub-§101** is enacted to read:

**101. Certain sales by civic, religious or fraternal organizations.** Sales of prepared food by a civic, religious or fraternal organization, including an auxiliary of such an organization, at a public or member-only event, except when alcoholic beverages are available for sale at the event. This exemption is limited to the first 24 days during which such sales are made in a calendar year and does not apply to sales made at private functions such as weddings.

**Sec. B-3. 36 MRSA §1812, sub-§1,** as amended by PL 2015, c. 267, Pt. OOOO, §6 and affected by §7 and amended by c. 300, Pt. A, §26, is repealed.

**Sec. B-4. 36 MRSA §1812, sub-§1-A** is enacted to read:

**1-A. Computation.** Every retailer shall add the sales tax imposed by section 1811 to the sale price on all sales of tangible personal property and taxable services that are subject to tax under this Part. The tax when so added is a debt of the purchaser to the retailer until it is paid and is recoverable at law by the retailer from the purchaser in the same manner as the sale price. When the sale price involves a fraction of a dollar, the tax computation must be carried to the 3rd decimal place, then rounded down to the next whole cent whenever the 3rd decimal place is one, 2, 3 or 4 and rounded up to the next whole cent whenever the 3rd decimal place is 5, 6, 7, 8 or 9.

**Sec. B-5. 36 MRSA §1812, sub-§2,** as amended by PL 1991, c. 846, §24, is further amended to read:

**2. Several items.** When several purchases are made together and at the same time, the tax ~~must~~ may be computed on each item individually or on the total amount of the several items, as the retailer may elect, except that purchases taxed at different rates must be separately totaled.

**Sec. B-6. 36 MRSA §1812, sub-§3,** as enacted by PL 1987, c. 402, Pt. A, §181, is repealed.

**Sec. B-7. 36 MRSA §2910-B,** as enacted by PL 2005, c. 457, Pt. AAA, §3, is amended to read:

### **§2910-B. Refund to government agencies and political subdivisions**

~~Any government agency of this State and any political subdivision of this State that buys and uses internal combustion engine fuel and that has paid a tax as provided by this chapter must be reimbursed in the amount of the tax paid upon presenting to the State Tax Assessor a statement accompanied by the original invoices showing the purchases. By contractual agreement, an agency of this State or a political subdivision of this State a government agency may assign to another person its right to receive refunds under this section. Applications for refunds must be filed with the assessor within 12 months from the date of purchase. For the purposes of this section, "government agency" means the State, or any political subdivision of the State, or the Federal Government.~~

**Sec. B-8. 36 MRSA §3208-A,** as amended by PL 2007, c. 438, §79, is further amended to read:

### **§3208-A. Refund to government agencies and political subdivisions**

~~Any political subdivision of the State government agency that buys and uses special fuel and that has paid a tax as provided by this chapter on that fuel is eligible for reimbursement in the amount of the tax paid. By contractual agreement, any agency of this State or political subdivision of this State a government agency may assign to another person its right to receive funds under this section. A refund application~~

on a form prescribed by the State Tax Assessor must be filed to claim a refund pursuant to this section. Applications for refunds must be filed with the ~~State Tax Assessor~~ assessor within 12 months from the date of purchase. For the purposes of this section, "government agency" means the State, or any political subdivision of the State, or the Federal Government.

**Sec. B-9. Application.** Those sections of this Part that repeal Title 36, section 1812, subsections 1 and 3, that amend Title 36, section 1812, subsection 2 and enact Title 36, section 1812, subsection 1-A are effective January 1, 2018. That section of this Part that enacts Title 36, section 1760, subsection 101 applies to sales occurring on or after October 1, 2017.

### PART C

**Sec. C-1. 36 MRSA §2535** is enacted to read:

**§2535. Credit for educational opportunity**

A taxpayer is allowed a credit against the tax otherwise due under this chapter as determined under section 5217-D.

**Sec. C-2. Application.** That section of this Part that enacts the Maine Revised Statutes, Title 36, section 2535 applies to tax years beginning on or after January 1, 2017.

### PART D

**Sec. D-1. 36 MRSA §5122, sub-§1, ¶KK,** as enacted by PL 2015, c. 490, §7, is repealed.

**Sec. D-2. 36 MRSA §5125, sub-§3, ¶C,** as amended by PL 2015, c. 494, Pt. A, §45, is further amended to read:

C. Reduced by any amount of deduction attributable to income taxable to financial institutions under chapter 819; and

**Sec. D-3. 36 MRSA §5125, sub-§3, ¶D,** as repealed and replaced by PL 2015, c. 494, Pt. A, §46, is amended to read:

D. Reduced by any amount attributable to interest or expenses incurred in the production of income exempt from tax under this Part; and

**Sec. D-4. 36 MRSA §5125, sub-§3, ¶G,** as enacted by PL 2015, c. 340, §3 and affected by §5, is repealed.

**Sec. D-5. 36 MRSA §5206-F,** as amended by PL 2003, c. 588, §17, is further amended to read:

**§5206-F. Time for filing returns**

The franchise tax return required by section 5220, subsection 6 must be filed on or before the 15th day of the ~~3rd~~ 4th month following the end of the financial institution's fiscal year.

**Sec. D-6. 36 MRSA §5219-KK, sub-§1, ¶A,** as enacted by PL 2013, c. 551, §3, is amended to read:

A. "Benefit base" means property taxes paid by a resident individual during the tax year on the resident individual's homestead in this State or rent constituting property taxes paid by the resident individual during the tax year on a homestead in the State not exceeding the following amounts:

(1) For persons filing as single individuals, \$2,000;

(2) For persons filing joint returns or as heads of households that claim no more than 2 personal exemptions, \$2,600; and

(3) For persons filing joint returns or as heads of households that claim 3 or more personal exemptions, \$3,200; and

(4) ~~For married individuals filing separate returns, 1/2 of the amount under subparagraph (2) or (3), whichever would apply if the individual had filed a joint return for the taxable year with the individual's spouse.~~

**Sec. D-7. 36 MRSA §5219-KK, sub-§2,** as enacted by PL 2013, c. 551, §3, is amended to read:

**2. Credit.** A resident individual is allowed a credit against the taxes imposed under this Part in an amount equal to 50% of the amount by which the benefit base for the resident individual exceeds 6% of the resident individual's income. The credit may not exceed \$600 for resident individuals under 65 years of age as of the last day of the taxable year or \$900 for resident individuals 65 years of age and older as of the last day of the taxable year. In the case of married individuals filing a joint return, only one spouse is required to be 65 years of age or older to qualify for the \$900 credit limitation. ~~In the case of resident married individuals filing separate returns, each of whom claims the credit on the same homestead, the credit for each spouse may not exceed \$300 if, for the taxable year, neither spouse was a resident individual 65 years of age or older or \$450 if, for the taxable year, at least one spouse was 65 years of age or older. Married taxpayers filing separate returns do not qualify for the credit under this section.~~

**Sec. D-8. 36 MRSA §5219-NN,** as enacted by PL 2015, c. 388, Pt. A, §15; c. 490, §8; and c. 503, §1, is repealed and the following enacted in its place:

**§5219-NN. Maine capital investment credit for 2015 and after**

**1. Credit allowed.** A taxpayer that claims a depreciation deduction under the Code, Section 168(k) for property placed in service in the State during a taxable year that begins on or after January 1, 2015 is allowed a credit as follows:

A. A taxable corporation is allowed a credit against the taxes imposed by this Part in an amount equal to 9% of the amount of the net increase in the depreciation deduction reported as an addition to income for the taxable year under section 5200-A, subsection 1, paragraph CC, subparagraph (1) with respect to that property, except for excluded property under subsection 2; or

B. An individual is allowed a credit against the taxes imposed by this Part in an amount equal to:

(1) For taxable years beginning in 2015, 8% of the amount of the net increase in the depreciation deduction reported as an addition to income for the taxable year under section 5122, subsection 1, paragraph KK, subparagraph (1) with respect to that property, except for excluded property under subsection 2; and

(2) For taxable years beginning on or after January 1, 2016, 7% of the amount of the net increase in the depreciation deduction reported as an addition to income for the taxable year under section 5122, subsection 1, paragraph KK, subparagraph (1) with respect to that property, except for excluded property under subsection 2.

**2. Certain property excluded.** The following property is not eligible for the credit under this section:

A. Property owned by a public utility as defined by Title 35-A, section 102, subsection 13;

B. Property owned by a person that provides radio paging services as defined by Title 35-A, section 102, subsection 15;

C. Property owned by a person that provides mobile telecommunications services as defined by Title 35-A, section 102, subsection 9-A;

D. Property owned by a cable television company as defined by Title 30-A, section 2001, subsection 2;

E. Property owned by a person that provides satellite-based direct television broadcast services;

F. Property owned by a person that provides multichannel, multipoint television distribution services; and

G. Property that is not in service in the State for the entire 12-month period following the date it is placed in service in the State.

**3. Limitations; carry-forward.** The credit allowed under subsection 1 may not reduce the tax otherwise due under this Part to less than zero. Any unused portion of the credit may be carried forward to the following year or years for a period not to exceed 20 years.

**4. Recapture.** The credit allowed under this section must be fully recaptured to the extent claimed by the taxpayer if the property forming the basis of the credit is not used in the State for the entire 12-month period following the date it is placed in service in the State. The credit must be recaptured by filing an amended return in accordance with section 5227-A for the tax year in which that property was used to calculate the credit under this section. The amended return must reflect the credit disallowed and the income modifications required by section 5122, subsection 1, paragraph KK and section 5200-A, subsection 1, paragraph CC with respect to that property.

**Sec. D-9. 36 MRSA §5219-OO** is enacted to read:

**§5219-OO. Credit for disability income protection plans in the workplace**

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

A. "Disability income protection plan" or "plan" has the same meaning as in Title 24-A, section 2804-B.

B. "Elimination period" means the time period during which an employee is unable to work due to a covered sickness or injury but is not yet eligible for disability benefits under the plan.

C. "Employee" means an individual who performs services for an employing unit and is eligible to enroll in a qualified short-term disability income protection plan or a qualified long-term disability income protection plan under the terms and conditions of the disability income protection plan.

D. "Employing unit" has the same meaning as in Title 26, section 1043, subsection 10.

E. "Qualified long-term disability income protection plan" means an employer-sponsored disability income protection plan that replaces at least 50% of predisability earnings prior to any applicable offsets, offers benefits for at least 24 months, has an elimination period of no greater than 185 days and is either:

(1) A plan established after January 1, 2017 that allows for employees to opt out of enrollment; or

(2) An existing plan that is reopened for enrollment and allows for employees to opt out of enrollment.

F. "Qualified short-term disability income protection plan" means an employer-sponsored disability income protection plan that replaces income of at least \$200 per week, offers benefits for at least

6 months, has an elimination period of no more than 30 days and is either:

(1) A plan established after January 1, 2017 that allows for employees to opt out of enrollment; or

(2) An existing plan that is reopened for enrollment and allows for employees to opt out of enrollment.

**2. Credit allowed.** A taxpayer constituting an employing unit is allowed a credit against the tax imposed by this Part for each taxable year beginning on or after January 1, 2017 for either a qualified short-term disability income protection plan or a qualified long-term disability income protection plan.

**3. Limit.** The total annual credit for a taxpayer under this section is limited to an amount equal to \$30 for each employee enrolled after January 1, 2017 in either a qualified short-term disability income protection plan or a qualified long-term disability income protection plan, as long as the employee enrolled in a qualified short-term disability income protection plan or a qualified long-term disability income protection plan was not covered under a disability income protection plan offered by the employing unit in the tax year immediately preceding the year the employer is first eligible for the credit. The credit must be claimed by a taxpayer in the first tax year during which the taxpayer is eligible to claim the credit and may be taken for no more than 3 consecutive tax years.

**4. Carry over; carry back.** The amount of the credit that may be used by a taxpayer may not exceed the amount of the tax otherwise due. Any unused credit may not be carried over or carried back by a taxpayer.

**Sec. D-10. 36 MRSA §5219-PP** is enacted to read:

**§5219-PP. Credit for certain homestead modifications**

**1. Credit allowed.** An individual with federal adjusted gross income not exceeding \$55,000 who makes qualified expenditures for the purpose of making all or any portion of an existing homestead, as defined in section 5219-II, subsection 1, paragraph C, accessible to an individual with a disability or physical hardship who resides or will reside in the homestead is allowed a credit against the tax otherwise imposed under this Part in an amount equal to the applicable percentage of the qualified expenditures or \$9,000, whichever is less.

**2. Qualified expenditures.** An individual claiming a credit under this section must demonstrate to the Maine State Housing Authority that the homestead modifications for which the expenditures were incurred comply with applicable building standards governing home accessibility in the jurisdiction where the

homestead is located and are consistent with standards adopted by the authority. The authority may adopt rules consistent with this section to identify the types of homestead modifications that will enable accessibility for individuals with disabilities or physical hardships. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**3. Certification.** The Maine State Housing Authority shall certify to the State Tax Assessor the total qualified expenditures made by an individual seeking to claim a credit under this section. The authority may contract with a public or private entity to make the certification required under this subsection.

**4. Limitations; carry-forward.** The credit under this section must be taken in the taxable year in which the qualified expenditures were incurred. The credit allowed under this section may not reduce the tax otherwise due under this Part to less than zero. Any unused portion of the credit may be carried forward to the following year or years for a period not to exceed 4 years.

**5. Applicable percentage.** For the purposes of this section, "applicable percentage" means:

A. For taxpayers with a federal adjusted gross income of up to \$25,000, 100%;

B. For taxpayers with a federal adjusted gross income over \$25,000 but not over \$30,000, 90%;

C. For taxpayers with a federal adjusted gross income over \$30,000 but not over \$35,000, 80%;

D. For taxpayers with a federal adjusted gross income over \$35,000 but not over \$40,000, 70%;

E. For taxpayers with a federal adjusted gross income over \$40,000 but not over \$45,000, 60%; and

F. For taxpayers with a federal adjusted gross income over \$45,000 but not over \$55,000, 50%.

**Sec. D-11. 36 MRSA §5231, sub-§1-A**, as amended by PL 2003, c. 390, §50, is further amended to read:

**1-A. Federal extension.** When an individual, estate or trust is granted an extension of time within which to file a federal income tax return for any taxable year, the due date for filing the taxpayer's income tax return with respect to the tax imposed by this Part is automatically extended for an equivalent period. When a taxable corporation or a financial institution subject to the tax imposed by chapter 819 is granted an extension of time within which to file its federal income tax return for any taxable year, the due date for filing the taxpayer's income tax or franchise tax return with respect to the tax imposed by this Part is automatically extended for an equivalent period plus 30 days.

**Sec. D-12. 36 MRSA §5242**, as amended by PL 1995, c. 639, §23, is further amended to read:

**§5242. Information returns**

The State Tax Assessor may require returns of information to be made and filed on or before ~~February 28th~~ January 31st of each year by a person making payment or crediting in a calendar year the amounts of \$600 or more ~~(, or \$10 or more in the case of interest or dividends),~~ to a person who may be subject to the tax imposed under this Part. The returns may be required of a person, including lessees or mortgagors of real or personal property, fiduciaries, employers and all officers and employees of this State, or of a municipal corporation or political subdivision of this State, having the control, receipt, custody, disposal or payment of dividends, interest, rents, salaries, wages, premiums, annuities, compensations, remunerations, emoluments or other fixed or determinable gains, profits or income, except interest coupons payable to bearer. A duplicate of the statement as to tax withheld on wages, required to be furnished by an employer to an employee, constitutes the return of information required to be made under this section with respect to those wages.

**Sec. D-13. 36 MRSA §5276-A, sub-§7**, as amended by PL 1991, c. 564 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

**7. Priority.** In the event that claims from more than one agency are received by the State Tax Assessor with respect to one taxpayer, the ~~State Tax Assessor~~ assessor shall set off against the refund due the taxpayer as many claims of the agencies as is possible in the following order of priority:

A. Liquidated child support debts owed to the Department of Health and Human Services;

A-1. Court-ordered restitution obligations;

B. Fines and fees owed to any of the courts; and

C. All other claims in the order of their receipt by the ~~State Tax Assessor~~ assessor.

**Sec. D-14. Application.** Those sections of this Part that amend the Maine Revised Statutes, Title 36, section 5206-F, section 5219-KK, subsection 1, paragraph A and subsection 2 and section 5231, subsection 1-A and that repeal Title 36, section 5219-NN as amended by Public Law 2015, chapter 490 and Public Law 2015, chapter 503 and enact Title 36, sections 5219-OO and 5219-PP apply to tax years beginning on or after January 1, 2017. The section of this Part that amends Title 36, section 5242 applies to returns of information filed for calendar years beginning on or after January 1, 2017.

**PART E**

**Sec. E-1. 5 MRSA §13070-J, sub-§4, ¶A**, as amended by PL 2001, c. 481, §2, is repealed.

**Sec. E-2. 36 MRSA §194, sub-§3**, as enacted by PL 2009, c. 213, Pt. TTTT, §1, is repealed.

**Sec. E-3. 36 MRSA §194-A**, as enacted by PL 2011, c. 503, §1, is amended to read:

**§194-A. Review of certain changes in the application of sales and use tax law**

**1. Consultation.** Before implementing a significant change in policy, practice or interpretation of the sales and use tax law that would result in additional revenue, the ~~bureau~~ State Tax Assessor shall consult with the Office of the Attorney General ~~to determine if the change should be reviewed by the appropriate legislative committee of oversight. If the consultation results in an agreement that a proposed change in policy, practice or interpretation of the sales and use tax law is a significant change that would result in additional revenue and should be reviewed by the appropriate legislative committee of oversight, the bureau shall notify the appropriate legislative committee of oversight pursuant to subsection 2.~~

**2. Notification and review.** If, pursuant to the consultation required by subsection 1, the Office of the Attorney General and the ~~bureau~~ assessor agree that a proposed change in policy, practice or interpretation of the sales and use tax law is a significant change that would result in additional revenue and should be reviewed by the appropriate legislative committee of oversight, the ~~bureau~~ assessor shall notify the chairs of the appropriate legislative committee of oversight of the results of the consultation at least 45 days prior to implementation of the change ~~in policy, practice or interpretation of the sales and use tax law~~, if reasonably practicable. The chairs of the legislative committee of oversight shall notify all committee members in writing of the proposed change ~~in policy, practice or interpretation of the sales and use tax law~~ and may schedule a time for committee review and discussion.

**3. Report.** ~~The bureau shall report annually by January 15th to the joint standing committee of the Legislature having jurisdiction over taxation matters regarding the consultation process and, consistent with attorney-client privilege and any other legal privilege and legal confidentiality requirements, provide a brief summary of the issues for which a consultation was sought and the results of each consultation.~~

**4. Assessment validity.** ~~The provisions of this~~ This section establishes a procedural consultation and ~~reporting~~ notification requirement to assist routine legislative oversight. ~~It and~~ it does not affect the validity of any assessment or tax liability issued pursuant to or arising under this Title.

**Sec. E-4. 36 MRSA §199-B, sub-§1**, as enacted by PL 2001, c. 652, §7, is amended to read:

**1. Report.** The bureau shall submit a report regarding tax expenditures to the committee by ~~January~~

~~5th~~ February 15th of each odd-numbered year. The report must contain:

- A. A summary of each tax expenditure in the laws administered by the bureau;
- B. A description of the purpose and background of the tax expenditure and the groups likely to benefit from the tax expenditure;
- C. An estimate of the cost of the tax expenditure for the current biennium;
- D. Any issues regarding tax expenditures that need to be considered by the Legislature; ~~and~~
- E. Any recommendation regarding the amendment, repeal or replacement of the tax expenditure; ~~and~~
- F. The total amount of reimbursement paid to each person claiming a reimbursement for taxes paid on certain business property under chapter 915.

**Sec. E-5. 36 MRSA §200, sub-§1**, as amended by PL 2005, c. 218, §8, is further amended to read:

**1. Impact of taxes on individuals.** The bureau shall submit to the joint standing committee of the Legislature having jurisdiction over taxation matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs a report containing the information required by this subsection by ~~July 1, 1999 and by January 1st~~ February 15th of each odd-numbered year ~~thereafter~~.

A. Part 1 of the report must describe the overall incidence of all state, local and county taxes. The report must present information on the distribution of the tax burden:

- (1) For the overall income distribution, using a measure of system-wide incidence that appropriately measures equality and inequality;
- (2) By income classes, including, at a minimum, deciles of the income distribution; and
- (3) By other appropriate taxpayer characteristics.

B. Part 2 of the report must describe the impact of the tax system on business and industrial sectors. The report must:

- (1) Describe the impact of taxes on major sectors of the business and industrial economy relative to other sectors; and
- (2) Describe the relative impact of each tax on business and industrial sectors.

C. When determining the overall incidence of taxes under this subsection, the bureau shall reduce the amount of taxes collected by the amount

of taxes that are returned directly to taxpayers through tax relief programs.

**Sec. E-6. 36 MRSA §208-A, sub-§6**, as enacted by PL 2007, c. 322, §2, is amended to read:

**6. Report.** By February 1st, annually, the State Tax Assessor shall submit a report to the joint standing committee of the Legislature having jurisdiction over taxation matters identifying all requests for adjustment of equalized valuation under this section during the ~~previous calendar~~ most recently completed fiscal year, the assessor's determination regarding each request and the amount of any payments made by the Commissioner of Education under subsection 5, paragraph A.

**Sec. E-7. 36 MRSA §2863, sub-§7**, as enacted by PL 1981, c. 711, §10, is repealed.

**Sec. E-8. 36 MRSA §6664**, as amended by PL 2007, c. 693, §35, is repealed.

**Sec. E-9. Effective date.** That section of this Part that amends the Maine Revised Statutes, Title 36, section 194-A takes effect January 1, 2018.

See title page for effective date, unless otherwise indicated.

## CHAPTER 212

S.P. 575 - L.D. 1622

### An Act To Allow the Androscoggin County Commissioners To Establish Reasonable Office Hours for County Offices

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

**Sec. 1. 30-A MRSA §103, sub-§1**, 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 repealed.

See title page for effective date.

## CHAPTER 213

S.P. 338 - L.D. 1031

### An Act To Clarify the Opioid Medication Prescribing Limits 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**, Public Law 2015, chapter 488 enacted a number of changes to the laws governing the Controlled Substances Prescription Monitoring Program and the prescribing and dispensing of opioid medication and other drugs; and

**Whereas**, health care providers need clarification of palliative care and serious illness exemptions to the opioid limit of 100 morphine milligram equivalents per day; and

**Whereas**, surgical procedures routinely require higher dosages than the current opioid limit laws allow and clarification to the law is necessary 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. 22 MRSA §1726, sub-§1, ¶¶A and B**, as enacted by PL 2015, c. 203, §2, are amended to read:

A. "Palliative care" means patient-centered and family-focused medical care that optimizes quality of life by anticipating, preventing and treating suffering caused by a medical illness or a physical injury or condition that substantially affects a patient's quality of life, including, but not limited to, addressing physical, emotional, social and spiritual needs; facilitating patient autonomy and choice of care; providing access to information; discussing the patient's goals for treatment and treatment options, including, when appropriate, hospice care; and managing pain and symptoms comprehensively. Palliative care does not always include a requirement for hospice care or attention to spiritual needs.

B. "Serious illness" means a medical illness or physical injury or condition that substantially affects quality of life for more than a short period of time. "Serious illness" includes, but is not limited to, Alzheimer's disease and related dementias, lung disease, cancer ~~and~~ heart or liver failure and chronic, unremitting or intractable pain such as neuropathic pain.

**Sec. 2. 22 MRSA §7246, sub-§2**, as enacted by PL 2003, c. 483, §1, is amended to read:

**2. Dispenser.** "Dispenser" means a pharmacist who is licensed or registered under Title 32 ~~or a licensed health care professional with authority to dispense or administer prescription drugs.~~

**Sec. 3. 22 MRSA §7249, sub-§1**, as amended by PL 2011, c. 657, Pt. AA, §68, is further amended to read:

**1. Information required.** ~~Each~~ Except as provided in subsection 1-A, each dispenser shall submit to the department, by electronic means or other format specified in a waiver granted by the department, specific items of information regarding dispensed controlled substances determined by the office from the following list:

- A. The dispenser identification number;
- B. The date the prescription was filled;
- C. The prescription number;
- D. Whether the prescription is new or is a refill;
- E. The National Drug Code (NDC) for the drug dispensed;
- F. The quantity dispensed;
- G. The dosage;
- H. The patient identification number;
- I. The patient name;
- J. The patient address;
- K. The patient date of birth;
- L. The prescriber identification number;
- M. The date the prescription was issued by the prescriber; and
- N. The department-issued serial number if the department chooses to establish a serial prescription system.

**Sec. 4. 22 MRSA §7249, sub-§1-A** is enacted to read:

**1-A. Small quantity dispensing.** If a controlled substance is dispensed by a hospital emergency department to a person receiving care in the emergency department for use by that person during a period of 48 hours or less after the controlled substance is dispensed, the dispenser is not required to comply with subsection 1.

**Sec. 5. 22 MRSA §7250, sub-§4, ¶¶I and J**, as amended by PL 2017, c. 87, §1, are further amended to read:

- I. Staff members of a licensed hospital who are authorized by the chief medical officer of the hospital, insofar as the information relates to a patient receiving care in the hospital's emergency department or receiving inpatient services or surgical services from the hospital;
- J. Staff members of a pharmacist who are authorized by the pharmacist on duty, insofar as the in-

formation relates to a customer seeking to have a prescription filled; ~~and~~

**Sec. 6. 22 MRSA §7250, sub-§4, ¶K**, as enacted by PL 2017, c. 87, §2, is amended to read:

K. The chief medical officer, medical director or other administrative prescriber employed by a licensed hospital, insofar as the information relates to prescriptions written by prescribers employed by that licensed hospital; ~~and~~

**Sec. 7. 22 MRSA §7250, sub-§4, ¶L** is enacted to read:

L. Staff members of a group practice of prescribers who are authorized by a designated group practice leader, insofar as the information relates to a patient receiving care from that group practice.

**Sec. 8. 22 MRSA §7253, sub-§2**, as enacted by PL 2015, c. 488, §9, is amended to read:

**2. Dispensers.** On or after January 1, 2017, a dispenser shall check prescription monitoring information prior to dispensing a benzodiazepine or an opioid medication to a person under any of the following circumstances:

- A. The person is not a resident of this State;
- B. The prescription is from a prescriber with an address outside of this State;
- C. The person is paying cash when the person has prescription insurance on file; or
- D. According to the pharmacy prescription record, the person has not had a prescription for a benzodiazepine or an opioid medication in the previous 12-month period.

A dispenser shall ~~notify the program and~~ withhold a prescription until the dispenser is able to contact the prescriber of that prescription if the dispenser has reason to believe that the prescription is fraudulent or duplicative.

**Sec. 9. 22 MRSA §7253, sub-§3**, as repealed and replaced by PL 2017, c. 122, §1, is amended to read:

**3. Exceptions.** The requirements to check prescription monitoring information established in this section do not apply:

- A. When a licensed or certified health care professional directly orders or administers a benzodiazepine or opioid medication to a person in an emergency room setting, an inpatient hospital setting, a long-term care facility or a residential care facility or in connection with a surgical procedure; or
- B. When a licensed or certified health care professional directly orders, prescribes or administers a

benzodiazepine or opioid medication to a person suffering from pain associated with end-of-life or hospice care.

**Sec. 10. 22 MRSA §7253, sub-§5**, as enacted by PL 2015, c. 488, §9, is repealed.

**Sec. 11. 22 MRSA §7254, sub-§2**, as enacted by PL 2015, c. 488, §9, is amended to read:

**2. Rulemaking.** Notwithstanding section 7252, no later than January 1, 2017, the department shall adopt routine technical rules as defined in Title 5, chapter 375, subchapter 2-A to establish reasonable exceptions to prescriber limits in Title 32, sections 2210, 2600-C, 3300-F, 3657 and 18308, including for chronic pain and acute pain. The rules must take into account clinically appropriate exceptions and include prescribers in the rule-making process including the drafting of draft rules and changes after the public hearing process to the extent permitted by Title 5, chapter 375. After July 1, 2017, any rules adopted by the department pursuant to this section are governed by section 7252.

**Sec. 12. 32 MRSA §2210, sub-§1, ¶D**, as enacted by PL 2015, c. 488, §13, is amended to read:

D. On or after January 1, 2017, within a 7-day period, more than a 7-day supply of an opioid medication to a patient under treatment for acute pain unless the opioid product is labeled by the federal Food and Drug Administration to be dispensed only in a stock bottle that exceeds a 7-day supply as prescribed, in which case the amount dispensed may not exceed a 14-day supply. "Acute pain" has the same meaning as in Title 22, section 7246, subsection 1-A.

**Sec. 13. 32 MRSA §2210, sub-§2, ¶B**, as enacted by PL 2015, c. 488, §13, is amended to read:

B. When directly ordering or administering a benzodiazepine or opioid medication to a person in an emergency room setting, an inpatient hospital setting, a long-term care facility or a residential care facility or in connection with a surgical procedure.

As used in this paragraph, "administer" has the same meaning as in Title 22, section 7246, subsection 1-B.

**Sec. 14. 32 MRSA §2600-C, sub-§1, ¶D**, as enacted by PL 2015, c. 488, §17, is amended to read:

D. On or after January 1, 2017, within a 7-day period, more than a 7-day supply of an opioid medication to a patient under treatment for acute pain unless the opioid product is labeled by the federal Food and Drug Administration to be dispensed only in a stock bottle that exceeds a 7-day supply as prescribed, in which case the amount dispensed may not exceed a 14-day supply. For

purposes of this paragraph, "acute pain" has the same meaning as in Title 22, section 7246, subsection 1-A.

**Sec. 15. 32 MRSA §2600-C, sub-§2, ¶B**, as enacted by PL 2015, c. 488, §17, is amended to read:

B. When directly ordering or administering a benzodiazepine or opioid medication to a person in an emergency room setting, an inpatient hospital setting, a long-term care facility or a residential care facility or in connection with a surgical procedure.

As used in this paragraph, "administer" has the same meaning as in Title 22, section 7246, subsection 1-B.

**Sec. 16. 32 MRSA §3300-F, sub-§1, ¶D**, as enacted by PL 2015, c. 488, §20, is amended to read:

D. On or after January 1, 2017, within a 7-day period, more than a 7-day supply of an opioid medication to a patient under treatment for acute pain unless the opioid product is labeled by the federal Food and Drug Administration to be dispensed only in a stock bottle that exceeds a 7-day supply as prescribed, in which case the amount dispensed may not exceed a 14-day supply. "Acute pain" has the same meaning as in Title 22, section 7246, subsection 1-A.

**Sec. 17. 32 MRSA §3300-F, sub-§2, ¶B**, as enacted by PL 2015, c. 488, §20, is amended to read:

B. When directly ordering or administering a benzodiazepine or opioid medication to a person in an emergency room setting, an inpatient hospital setting, a long-term care facility or a residential care facility or in connection with a surgical procedure.

As used in this paragraph, "administer" has the same meaning as in Title 22, section 7246, subsection 1-B.

**Sec. 18. 32 MRSA §3657, sub-§1, ¶D**, as enacted by PL 2015, c. 488, §23, is amended to read:

D. On or after January 1, 2017, within a 7-day period, more than a 7-day supply of an opioid medication to a patient under treatment for acute pain unless the opioid product is labeled by the federal Food and Drug Administration to be dispensed only in a stock bottle that exceeds a 7-day supply as prescribed, in which case the amount dispensed may not exceed a 14-day supply. "Acute pain" has the same meaning as in Title 22, section 7246, subsection 1-A.

**Sec. 19. 32 MRSA §3657, sub-§2, ¶B**, as enacted by PL 2015, c. 488, §23, is amended to read:

B. When directly ordering or administering a benzodiazepine or opioid medication to a person

in an emergency room setting, an inpatient hospital setting, a long-term care facility or a residential care facility or in connection with a surgical procedure.

As used in this paragraph, "administer" has the same meaning as in Title 22, section 7246, subsection 1-B.

**Sec. 20. 32 MRSA §18308, sub-§1, ¶D**, as enacted by PL 2015, c. 488, §32, is amended to read:

D. On or after January 1, 2017, within a 7-day period, more than a 7-day supply of an opioid medication to a patient under treatment for acute pain unless the opioid product is labeled by the federal Food and Drug Administration to be dispensed only in a stock bottle that exceeds a 7-day supply as prescribed, in which case the amount dispensed may not exceed a 14-day supply. For purposes of this paragraph, "acute pain" has the same meaning as in Title 22, section 7246, subsection 1-A.

**Sec. 21. 32 MRSA §18308, sub-§2, ¶B**, as enacted by PL 2015, c. 488, §32, is amended to read:

B. When directly ordering or administering a benzodiazepine or opioid medication to a person in an emergency room setting, an inpatient hospital setting, a long-term care facility or a residential care facility or in connection with a surgical procedure.

As used in this paragraph, "administer" has the same meaning as in Title 22, section 7246, subsection 1-B.

**Sec. 22. Department of Health and Human Services to amend rules.** The Department of Health and Human Services, office of substance abuse and mental health services shall amend its rules in Chapter 11, Rules Governing the Controlled Substances Prescription Monitoring Program and Prescription of Opioid Medications so that the rules conform to those sections of this Act that amend the Maine Revised Statutes, Title 22, section 7246, subsection 2 and section 7253, subsection 2. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A, except that any subsequent amendments to those rules are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

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

Effective June 16, 2017.

**CHAPTER 214**  
**S.P. 177 - L.D. 516**

**An Act To Improve the  
Management of Inmates in  
County and Regional Jails**

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

**Sec. 1. 17-A MRSA §1205-C, sub-§4**, as amended by PL 2015, c. 436, §8, is further amended to read:

4. At the initial appearance, the court shall advise the probationer of the contents of the motion, the right to a hearing on the motion, the right to be represented by counsel at a hearing and the right to appointed counsel. If the probationer can not afford counsel, the court shall appoint counsel for the probationer. The court shall call upon the probationer to admit or deny the alleged violation. If the probationer refuses to admit or deny, a denial must be entered. In the case of a denial, the court shall set the motion for hearing and may commit the probationer, with or without bail, pending hearing. If the probationer is committed without bail pending hearing, the date of the hearing must be set no later than 45 days from the date of the initial appearance ~~unless otherwise ordered by the court.~~

**Sec. 2. 30-A MRSA §1662** is enacted to read:

**§1662. County jail and regional jail reporting**

**1. County jail and regional jail interjail boarding rates.** Beginning November 1, 2017, a county jail or regional jail shall report to the Department of Corrections on a form provided by and on a schedule established by the department regarding interjail boarding rates. The county jail or regional jail shall identify the types of agreements regarding boarding of inmates that it has with other jails. By January 15th each year, beginning January 15, 2018, the Department of Corrections shall report to the joint standing committee of the Legislature having jurisdiction over criminal justice and corrections matters regarding data derived from the interjail boarding rate information and any recommendations from the jails or the department.

**2. County jail and regional jail financial audits.** Beginning November 1, 2017, a county jail or regional jail shall report to the Department of Corrections on a schedule established by the department regarding financial audits performed for the jails. By January 15th each year, beginning January 15, 2018, the Department of Corrections shall report to the joint standing committee of the Legislature having jurisdiction over criminal justice and corrections matters regarding data derived from the financial audit information provided by the jails and any recommendations from the jails or the department.

**3. Pretrial detention.** Beginning November 1, 2017, a county jail or regional jail shall report twice per month to the Unified Criminal Docket in the judicial region in which the jail is located on the pretrial detention population in the jail. The jail shall report on the form provided by the Unified Criminal Docket.

**Sec. 3. 34-A MRSA §1219** is enacted to read:

**§1219. Assistance with federal law compliance**

Beginning November 1, 2017, the department shall offer technical assistance and advice to county and regional jails regarding audits for the purpose of achieving and maintaining compliance with the federal Prison Rape Elimination Act of 2003, Public Law 108-79, as requested by the county and regional jails.

See title page for effective date.

**CHAPTER 215**  
**S.P. 242 - L.D. 725**

**An Act To Recognize Local  
Control Regarding Food  
Systems**

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

**Sec. 1. 7-A MRSA §101, sub-§2-B** is enacted to read:

**2-B. Local food system.** "Local food system" means a community food system within a municipality that integrates food production, processing, consumption, direct producer-to-consumer exchanges and other traditional foodways to enhance the environmental, economic, social and nutritional health and well-being of the municipality and its residents.

**Sec. 2. 7-A MRSA §201-B** is enacted to read:

**§201-B. Local authority to regulate food systems**

Pursuant to the home rule authority granted to municipalities by Title 30-A, section 3001 and by the Constitution of Maine, Article VIII, Part Second, and pursuant to section 201-A, and notwithstanding any other provision of law to the contrary, a municipal government may regulate by ordinance local food systems, and the State shall recognize such ordinances.

An ordinance adopted by a municipality pursuant to this section must apply only to food or food products that are grown, produced or processed by individuals within that municipality who sell directly to consumers.

Any food or food products grown, produced or processed in the municipality intended for wholesale or retail distribution outside of the municipality must be grown, produced or processed in compliance with

all applicable state and federal laws, rules and regulations.

See title page for effective date.

## CHAPTER 216

### H.P. 836 - L.D. 1199

#### An Act To Promote Fiscal Responsibility in the Purchasing of Debt

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

**Sec. 1. 16 MRSA §355**, as amended by PL 1981, c. 470, Pt. A, §34, is further amended to read:

#### **§355. Affidavit of plaintiff as prima facie evidence; exception**

In all actions brought on an itemized account annexed to the complaint, including an action brought in small claims court pursuant to Title 14, chapter 738, the affidavit of the plaintiff, made before a notary public using a seal, that the account on which the action is brought is a true statement of the indebtedness existing between the parties to the action with all proper credits given and that the prices or items charged therein are just and reasonable shall be is prima facie evidence of the truth of the statement made in such affidavit and shall entitle entitles the plaintiff to the judgment unless rebutted by competent and sufficient evidence. When the plaintiff is a corporation, the affidavit may be made by its president, vice-president, secretary, treasurer or other person authorized by the corporation. If the plaintiff is a debt buyer within the meaning of the Maine Fair Debt Collection Practices Act, the affidavit must also conform to the requirements of Title 32, section 11019.

**Sec. 2. 32 MRSA §11002, sub-§1-B** is enacted to read:

**1-B. Charge-off.** "Charge-off" means the act of a creditor removing an account from its books as an asset and treating it as a loss or expense because payment is unlikely.

**Sec. 3. 32 MRSA §11002, sub-§5-A** is enacted to read:

**5-A. Debt buyer.** "Debt buyer" means a person that is regularly engaged in the business of purchasing charged-off consumer debt for collection purposes, whether the person collects the debt or hires a 3rd party, which may include an attorney-at-law, in order to collect the debt. "Debt buyer" does not include a supervised financial organization as defined in Title 9-A, section 1-301, subsection 38-A or a person that acquires charged-off consumer debt incidental to the purchase of a portfolio predominantly consisting of

consumer debt that has not been charged off. A debt buyer is considered a debt collector for all purposes under this chapter.

**Sec. 4. 32 MRSA §11002, sub-§8-C** is enacted to read:

**8-C. Resolved debt.** "Resolved debt" means a debt that has been paid, settled or discharged in bankruptcy.

**Sec. 5. 32 MRSA §11013, sub-§§9 and 10** are enacted to read:

**9. Required information.** A debt buyer may not collect or attempt to collect a debt unless the debt buyer possesses the following:

A. The name of the owner of the debt;

B. The original creditor's name at the time of the charge-off;

C. The original creditor's account number used to identify the debt at the time of the charge-off, if the original creditor used an account number to identify the debt at the time of charge-off;

D. The principal amount due at charge-off;

E. An itemization of interest and fees, if any, incurred after charge-off claimed to be owed and whether those were imposed by the original creditor or any subsequent owners of the debt;

F. If the debt is not from a revolving credit account, the date that the debt was incurred or the date of the last charge billed to the consumer's account for goods or services received. In the case of debt from a revolving credit account, the debt buyer must possess the date of the last extension of credit for the purchase of goods or services, for the lease of goods or as a loan of money;

G. The date and amount of the last payment, if applicable;

H. The names of all persons or entities that owned the debt after the time of the charge-off, if applicable, and the date of each sale or transfer;

I. Documentation establishing that the debt buyer is the owner of the specific debt at issue. If the debt was assigned more than once, the debt buyer must possess each assignment or other writing evidencing the transfer of ownership to establish an unbroken chain of ownership, beginning with the original creditor to the first debt buyer and each subsequent debt buyer; and

J. A copy of the contract, application or other documents evidencing the consumer's liability for the debt. If a signed writing evidencing the original debt does not exist, the debt buyer must possess a copy of a document provided to the consumer before charge-off demonstrating that the

debt was incurred by the consumer or, for a revolving credit account, the most recent monthly statement recording the extension of credit for the purchase of goods or services, for the lease of goods or as a loan of money.

**10. Transfer of ownership of certain debts.** A debt buyer may not sell or otherwise transfer ownership of:

A. A debt without the information and documentation required pursuant to subsection 9; or

B. A resolved debt, an interest in a resolved debt or any financial information relating to a resolved debt.

**Sec. 6. 32 MRSA §11019** is enacted to read:

**§11019. Collection action by debt buyer**

**1. Complaint; required allegations.** A debt buyer may not initiate a collection action against a consumer, including an action brought in small claims court pursuant to Title 14, chapter 738, unless the debt buyer alleges all of the following information in the complaint:

A. The information described in section 11013, subsection 9, including that the debt buyer possesses the documentation described in section 11013, subsection 9;

B. The basis for any interest and fees described in section 11013, subsection 9;

C. The basis for the request for attorney's fees, if applicable;

D. That the debt buyer is the current owner of the debt; and

E. That the cause of action is filed within the applicable statute of limitations period.

**2. Debt collection complaint; attachments.** In a collection action initiated by a debt buyer, the debt buyer shall attach all of the following materials to the complaint:

A. A copy of the contract, application or other document evidencing the consumer's agreement to the debt. If a signed writing evidencing the original debt does not exist, the debt buyer shall attach a copy of a document provided to the consumer before charge-off demonstrating that the debt was incurred by the consumer or, for a revolving credit account, the most recent monthly statement recording the extension of credit for the purchase of goods or services, for the lease of goods or as a loan of money or the last payment or balance transfer; and

B. A copy of the bill of sale or other writing establishing that the debt buyer is the owner of the debt. If the debt was assigned more than once, the

debt buyer shall attach each assignment or other writing evidencing the transfer of ownership to establish an unbroken chain of ownership, beginning with the original creditor to the first debt buyer and each subsequent debt buyer.

**3. Requirements for judgment.** Regardless of whether the consumer appears in the action, the court may not enter a judgment in favor of a debt buyer in a collection action against a consumer, including an action brought in small claims court pursuant to Title 14, chapter 738, unless the debt buyer files with the court:

A. A copy admissible under the Maine Rules of Evidence of the contract, application or other writing establishing the consumer's agreement to the debt and any contract interest or fees alleged to be owed. If a signed writing evidencing the original debt does not exist, the debt buyer must file a copy of a document provided to the consumer before charge-off demonstrating that the debt was incurred by the consumer or, for a revolving credit account, the most recent monthly statement recording the extension of credit for the purchase of goods or services, for the lease of goods or as a loan of money or the last payment or balance transfer;

B. Business records or other evidence admissible under the Maine Rules of Evidence to establish the amount due at charge-off;

C. A copy admissible under the Maine Rules of Evidence of each bill of sale or other writing establishing transfer of ownership of the debt from the original creditor to the debt buyer. If the debt was assigned more than once, the debt buyer must file each assignment or other writing evidencing the transfer of ownership to establish an unbroken chain of ownership, beginning with the original creditor to the first debt buyer and each subsequent debt buyer; and

D. Notwithstanding any other law, if attorney's fees are sought under contract, a copy admissible under the Maine Rules of Evidence of the contract evidencing entitlement to attorney's fees.

**Sec. 7. 32 MRSA §11031, sub-§3, ¶A,** as enacted by PL 1985, c. 702, §2, is amended to read:

A. The superintendent may require such financial statements and references of all applicants for a license as he the superintendent deems necessary; and may make or cause to be made an independent investigation concerning the applicant's reputation, integrity, competence and net worth. The investigation may cover all managerial personnel employed by or associated with the applicant. If the applicant is a debt buyer, the superintendent shall require documentation that the debt buyer has conducted a criminal background check prior

to employment on every officer or employee of the debt buyer who engages in the active collection of debt for the debt buyer or has access to consumer credit information.

**Sec. 8. 32 MRSA §11053**, as enacted by PL 1985, c. 702, §2, is amended to read:

**§11053. Civil penalty**

The Except for a civil action against a debt buyer, the superintendent may, through the Attorney General, bring a civil action for a penalty not to exceed \$5,000 against any person who willfully violates this chapter. The superintendent may, through the Attorney General, bring a civil action for a penalty not to exceed \$10,000 against a debt buyer who willfully violates this chapter. No civil penalty pursuant to this section may be imposed for violations of this chapter occurring more than 2 years before the civil action is brought.

**Sec. 9. 32 MRSA §11054, sub-§1-A** is enacted to read:

**1-A. Failure to comply with this Act by a debt buyer.** Except as otherwise provided by this section, any debt buyer who fails to comply with any provisions of this Act with respect to any person is liable to that person in an amount equal to the sum of:

A. Any actual damage sustained by that person as a result of such failure;

B. In the case of any action by an individual, such additional damages as the court may allow, but not exceeding \$2,000;

C. In the case of a class action:

(1) Such amount for each named plaintiff as may be recovered under paragraph A; and

(2) Such amount as the court may allow for all other class members, without regard to a minimum individual recovery, not to exceed the lesser of \$500,000 and 1% of the net worth of the debt buyer; and

D. In the case of any successful action to enforce the liability set out in this subsection, the costs of the action, together with a reasonable attorney's fee as determined by the court. On a finding by the court that an action under this section was brought in bad faith and for the purpose of harassment, the court may award to the defendant attorney's fees reasonable in relation to the work expended and costs.

**Sec. 10. 32 MRSA §11054, sub-§§2 and 3**, as enacted by PL 1985, c. 702, §2, are amended to read:

**2. Considerations affecting liability.** In determining the amount of liability in any action under sub-

section 1 or 1-A, the court shall consider, among other relevant factors:

A. In any individual action, the frequency and persistence of noncompliance by the debt collector or debt buyer, the nature of that noncompliance and the extent to which that noncompliance was intentional; or

B. In any class action, the frequency and persistence of noncompliance by the debt collector or debt buyer, the nature of that noncompliance, the resources of the debt collector or debt buyer, the number of persons adversely affected and the extent to which the debt collector's or debt buyer's noncompliance was intentional.

**3. Defenses.** A debt collector or debt buyer may not be held liable in any action brought under this chapter if the debt collector or debt buyer shows, by a preponderance of evidence, that the violation was not intentional and resulted from a bona fide error, notwithstanding the maintenance of procedures reasonably adapted to avoid any such error.

**Sec. 11. Application.** This Act applies to a debt buyer, as defined in the Maine Revised Statutes, Title 32, section 11002, subsection 5-A, with respect to all debt sold to that debt buyer on or after January 1, 2018. This Act does not affect the validity of any collection actions taken, civil actions or arbitration actions commenced or judgments entered into prior to January 1, 2018.

See title page for effective date.

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**CHAPTER 217**

**S.P. 509 - L.D. 1463**

**An Act To Amend the Laws  
Relating to Motor Vehicle  
Dealers**

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

**Sec. 1. 10 MRSA §1174, sub-§3, ¶¶C-2 to C-5** are enacted to read:

C-2. To discriminate, directly or indirectly, or to use an unreasonable, arbitrary or unfair sales or other performance standard in determining a franchise motor vehicle dealer's compliance with a franchise agreement. The manufacturer has the burden of proving the reasonableness of its performance standards by clear and convincing evidence;

C-3. To fail to compensate a motor vehicle dealer for the reconditioning expenses and for all labor and parts the manufacturer requires a dealer to use to repair a new or used vehicle subject to a recall.

if the dealer holds a franchise of the same line make as the vehicle. The manufacturer shall process and pay the claim in the same manner as for a claim for warranty reimbursement under section 1176;

C-4. To fail to compensate a motor vehicle dealer for a used motor vehicle that is subject to a do not drive order or stop sale order as required by this paragraph, if the dealer holds a franchise of the same line make as the vehicle.

(1) If a used motor vehicle is subject to a do not drive order or stop sale order and a remedy or part necessary to repair the used motor vehicle is not available within 30 days, the manufacturer shall compensate a motor vehicle dealer for each affected used motor vehicle in the inventory of the dealer at a prorated rate of at least 1.5% of the value of the used motor vehicle per month, commencing on the 30th day after the order was issued and ending on the date that the remedy and all parts necessary to repair or service the used motor vehicle are made available to the dealer. A manufacturer is not required by this subparagraph to pay more than the total value of the used motor vehicle to a motor vehicle dealer.

(2) A used motor vehicle is considered to be part of the inventory of the motor vehicle dealer under subparagraph 1 if the used motor vehicle is in the possession of the dealer on the date the do not drive order or stop sale order is issued or if the dealer obtains the used motor vehicle as a result of a trade-in or a lease return after the date that the order is issued but before the remedy and all parts necessary to repair the used motor vehicle are made available to the dealer. The manufacturer may establish the method by which a motor vehicle dealer demonstrates that an affected motor vehicle is part of the inventory of the dealer as described in this subparagraph. The method may not be unreasonable, be unduly burdensome or require the motor vehicle dealer to provide information to the manufacturer that is not necessary for payment.

(3) A manufacturer may not reduce compensation to a motor vehicle dealer, process a charge back to a dealer, reduce the amount that the manufacturer owes a dealer under an incentive program or remove a dealer from an incentive program in response to the dealer submitting a claim or receiving compensation pursuant to this paragraph. This subparagraph does not prohibit a manufacturer from modifying or discontinuing an incentive pro-

gram prospectively or from making ordinary business decisions.

(4) As used in this paragraph, the following terms have the following meanings.

(a) "Do not drive order" means a notice issued by the Federal Government or a manufacturer advising a motor vehicle dealer or owner of a motor vehicle not to drive the vehicle until the vehicle has been repaired because the vehicle has a safety defect, fails to comply with a federal motor vehicle safety standard, fails to comply with a federal emissions standard or fails to comply with an emissions standard adopted pursuant to Title 38, chapter 4.

(b) "Stop sale order" means a notice issued by the Federal Government or a manufacturer prohibiting a motor vehicle dealer from leasing or selling and delivering at wholesale or retail a motor vehicle in the inventory of the dealer until the vehicle has been repaired because the vehicle has a safety defect, fails to comply with a federal motor vehicle safety standard, fails to comply with a federal emissions standard or fails to comply with an emissions standard adopted pursuant to Title 38, chapter 4.

(c) "Value of the used motor vehicle" means the average trade-in value indicated in an independent 3rd-party guide for a used motor vehicle of the same year, make, model and mileage;

C-5. To use any data, calculations or statistical determinations of the sales performance of a motor vehicle dealer for any purpose for any period of time during which the dealer has at least 5% of its total new and used motor vehicle inventory subject to a stop sale order or do not drive order. For purposes of this paragraph, "stop sale order" and "do not drive order" have the same meaning as in paragraph C-4;

**Sec. 2. 10 MRSA §1174, sub-§3, ¶K,** as amended by PL 1997, c. 521, §13, is further amended to read:

K. To compete with a motor vehicle dealer operating under an agreement or franchise from the manufacturer, distributor or wholesaler in the relevant market area, the area to be by directly or indirectly through any subsidiary or affiliated entity holding any ownership interest in or operating or controlling any motor vehicle dealership of any line make, unless the board determines, after a hearing, that there is no independent motor vehicle dealer available in the relevant market area to

own and operate a dealership of the same line make in a manner consistent with the public interest and this chapter. For purposes of this paragraph, the relevant market area must be determined exclusively by equitable principles, except that a manufacturer or distributor is not considered to be competing when does not violate this paragraph by operating a dealership either temporarily for a reasonable period, in any case not to exceed one year, or in a bona fide relationship in which an independent person has made a significant investment subject to loss in the dealership and can reasonably expect to acquire full ownership of the dealership on reasonable terms and conditions and except that a distributor is not considered to be competing when a wholly owned subsidiary corporation or the distributor sells motor vehicles at retail if, for at least 3 years prior to January 1, 1975, the subsidiary corporation has been a wholly owned subsidiary of the distributor and engaged in the sale of motor vehicles at retail. The provisions of this paragraph apply to a successor manufacturer or a distributor;

**Sec. 3. 10 MRSA §1174, sub-§3-A**, as corrected by RR 2013, c. 1, §20, is amended to read:

**3-A. Successor manufacturer.** Successor manufacturer, for a period of 5 years from the date of acquisition of control by that successor manufacturer, to offer a franchise to any person for a line make of a predecessor manufacturer in any franchise market area in which the predecessor manufacturer previously cancelled, terminated, noncontinued, failed to renew or otherwise ended a franchise agreement with a franchisee who had a franchise facility in that franchise market area without first offering the franchise to the former franchisee at no cost, unless:

A. Within 30 days of the former franchisee's cancellation, termination, noncontinuance or nonrenewal, the predecessor manufacturer had consolidated the line make with another of its line makes for which the predecessor manufacturer had a franchisee with a then-existing franchise facility in that franchise market area;

B. The successor manufacturer has paid the former franchisee the fair market value of the former franchisee's motor vehicle dealership in accordance with this subsection; or

C. The successor manufacturer proves that the former franchisee is not competent to be a franchisee.

For purposes of this subsection, "franchise market area" means the area located within 15 miles of the territorial limits of the municipality in which the former franchisee's franchise facility was located.

For purposes of this subsection, the fair market value of a former franchisee's motor vehicle dealership must

be calculated as of the date of the following that yields the highest fair market value: the date the predecessor manufacturer announced the action that resulted in the cancellation, termination, noncontinuance or nonrenewal; the date the action that resulted in cancellation, termination, noncontinuance or nonrenewal became final; or the date 12 months prior to the date that the predecessor manufacturer announced the action that resulted in the cancellation, termination, noncontinuance or nonrenewal; ~~and~~

**Sec. 4. 10 MRSA §1174, sub-§4, ¶F**, as enacted by PL 2009, c. 53, §1, is amended 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; ~~and~~

**Sec. 5. 10 MRSA §1174, sub-§5** is enacted to read:

**5. Discovered recall and warranty repairs.** Manufacturer to deny a claim by a motor vehicle dealer for performing a covered warranty repair or required recall repair on a vehicle if the dealer discovered the need for the repair during the course of a separate repair request by the customer.

**Sec. 6. 10 MRSA §1174-C, sub-§1, ¶A**, as amended by PL 2003, c. 356, §9, is further amended to read:

A. A designated family member of a deceased, incapacitated or retiring new motor vehicle dealer, which family member has been designated under the will of the dealer or in writing to the manufacturer, distributor, factory branch, factory representative ~~or importer, wholesaler, distributor branch or distributor representative~~, may succeed the dealer in the ownership or operation of the dealership under the existing franchise or distribution agreement if the designated family member gives the manufacturer, distributor, factory branch, factory representative ~~or importer, wholesaler, distributor branch or distributor representative~~ of new motor vehicles written notice of the intention to succeed to the dealership within 120 days of the dealer's death, incapacity or retirement and unless

there exists good cause for refusal to honor the succession on the part of the manufacturer, factory branch, factory representative, distributor ~~or importer~~, wholesaler, distributor branch or distributor representative. The manufacturer has the burden of demonstrating good cause by clear and convincing evidence.

**Sec. 7. 10 MRSA §1174-D** is enacted to read:

**§1174-D. Compensation for new vehicles with safety defect**

**1. Compensation required.** A manufacturer must compensate a motor vehicle dealer pursuant to 49 United States Code, Section 30116 (2016). A manufacturer is not required by this subsection to pay more than the total value of the affected new motor vehicle to a dealer.

**2. Civil action; statute of limitations.** If a manufacturer refuses to comply with subsection 1, the motor vehicle dealer may file a complaint with the board pursuant to section 1188 or bring a civil action to recover damages, court costs and reasonable attorney's fees. Notwithstanding section 1183, the action must be commenced within 3 years after the cause of action accrues.

**Sec. 8. 10 MRSA §1176-A**, as amended by PL 2013, c. 534, §8, is further amended by adding at the end a new paragraph to read:

A franchisor may not deny those elements of a paid claim or customer or dealer incentive that are based on a dealer's incidental failure to comply with a claim requirement or a clerical error or other technicality, regardless of whether the franchisor contests any other element of that claim, as long as the dealer corrects the clerical error or other technicality according to licensee guidelines.

**Sec. 9. 10 MRSA §1183, first ¶**, as enacted by PL 1975, c. 573, is amended to read:

Actions Except for an action arising out of section 1174-D, actions arising out of any provision of this chapter shall must be commenced within 4 years next after the cause of action accrues; provided, however, that if a person liable hereunder under this chapter conceals the cause of action from the knowledge of the person entitled to bring it, the period prior to the discovery of his the cause of action by the person so entitled shall be is excluded in determining the time limited for commencement of the action. If a cause of action accrues during the pendency of any civil, criminal or administrative proceeding against a person brought by the United States, or any of its agencies under the antitrust laws, the Federal Trade Commission Act, or any other Federal Act, or the laws of the State related to antitrust laws or to franchising, such actions may be commenced within one year after the

final disposition of such civil, criminal or administrative proceeding.

**Sec. 10. 10 MRSA §1186**, as amended by PL 1979, c. 127, §58, is further amended to read:

**§1186. Penalty**

Any person who violates any provision of this chapter shall be guilty of other than section 1174-D commits a Class E crime.

See title page for effective date.

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**CHAPTER 218**

**H.P. 1073 - L.D. 1557**

**An Act To Protect Maine Consumers from Unexpected Medical Bills**

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

**Sec. 1. 22 MRSA §1718-D** is enacted to read:

**§1718-D. Prohibition on balance billing for surprise bills**

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

A. "Enrollee" has the same meaning as in Title 24-A, section 4301-A, subsection 5.

B. "Health plan" has the same meaning as in Title 24-A, section 4301-A, subsection 7.

C. "Provider" has the same meaning as in Title 24-A, section 4301-A, subsection 16.

D. "Surprise bill" has the same meaning as in Title 24-A, section 4303-C, subsection 1.

**2. Prohibition on balance billing.** An out-of-network provider reimbursed for a surprise bill under Title 24-A, section 4303-C, subsection 2, paragraph B may not bill an enrollee for health care services beyond the applicable coinsurance, copayment, deductible or other out-of-pocket cost expense that would be imposed for the health care services if the services were rendered by a network provider under the enrollee's health plan.

**Sec. 2. 24-A MRSA §§4303-C and 4303-D** are enacted to read:

**§4303-C. Protection from surprise bills**

**1. Surprise bill defined.** As used in this section, unless the context otherwise indicates, "surprise bill" means a bill for health care services, other than emergency services, received by an enrollee for covered services rendered by an out-of-network provider, when

such services were rendered by that out-of-network provider at a network provider, during a service or procedure performed by a network provider or during a service or procedure previously approved or authorized by the carrier and the enrollee did not knowingly elect to obtain such services from that out-of-network provider. "Surprise bill" does not include a bill for health care services received by an enrollee when a network provider was available to render the services and the enrollee knowingly elected to obtain the services from another provider who was an out-of-network provider.

**2. Requirements.** With respect to a surprise bill:

A. A carrier shall require an enrollee to pay only the applicable coinsurance, copayment, deductible or other out-of-pocket expense that would be imposed for health care services if the services were rendered by a network provider;

B. A carrier shall reimburse the out-of-network provider or enrollee, as applicable, for health care services rendered at the average network rate under the enrollee's health care plan as payment in full, unless the carrier and out-of-network provider agree otherwise; and

C. Notwithstanding paragraph B, if a carrier has an inadequate network, as determined by the superintendent, the carrier shall ensure that the enrollee obtains the covered service at no greater cost to the enrollee than if the service were obtained from a network provider or shall make other arrangements acceptable to the superintendent.

**§4303-D. Provider directories**

**1. Requirement.** A carrier shall make available provider directories in accordance with this section.

A. A carrier shall post electronically a current and accurate provider directory for each of its network plans with the information and search functions described in subsection 2. In making the directory available electronically, the carrier shall ensure that the general public is able to view all of the current providers for a plan through a clearly identifiable link or tab and without creating or accessing an account or entering a policy or contract number.

B. A carrier shall update each provider directory at least monthly. The carrier shall periodically audit at least a reasonable sample size of its provider directories for accuracy and retain documentation of such an audit to be made available to the superintendent upon request.

C. A carrier shall provide a print copy, or a print copy of the requested directory information, of a current provider directory with the information

described in subsection 2 upon request of a covered person or a prospective covered person.

D. For each network plan, a carrier shall include in plain language in both the electronic and print directories the following general information:

(1) A description of the criteria the carrier has used to build its provider network;

(2) If applicable, a description of the criteria the carrier has used to tier providers;

(3) If applicable, how the carrier designates the different provider tiers or levels in the network and identifies for each specific provider, hospital or other type of facility in the network the tier in which each is placed, whether by name, symbols, grouping or another designation, so that a covered person or a prospective covered person is able to identify the provider tier; and

(4) If applicable, that authorization or referral may be required to access some providers.

E. A carrier shall make clear in both its electronic and print directories which provider directory applies to which network plan by including the specific name of the network plan as marketed and issued in this State. The carrier shall include in both its electronic and print directories a customer service e-mail address and telephone number or electronic link that covered persons or the general public may use to notify the carrier of inaccurate provider directory information.

F. For the information required pursuant to subsections 2, 3 and 4 in a provider directory pertaining to a health care professional, a hospital or a facility other than a hospital, a carrier shall make available through the directory the source of the information and any limitations on the information, if applicable.

G. A provider directory, whether in electronic or print format, must accommodate the communication needs of individuals with disabilities and include a link to or information regarding available assistance for persons with limited English proficiency.

**2. Information in searchable format.** A carrier shall make available through an electronic provider directory, for each network plan, the information under this subsection in a searchable format:

A. For health care professionals:

(1) The health care professional's name;

(2) The health care professional's gender;

(3) The participating office location or locations;

(4) The health care professional's specialty, if applicable;

(5) Medical group affiliations, if applicable;

(6) Facility affiliations, if applicable;

(7) Participating facility affiliations, if applicable;

(8) Languages other than English spoken by the health care professional, if applicable; and

(9) Whether the health care professional is accepting new patients;

**B. For hospitals:**

(1) The hospital's name;

(2) The hospital's type;

(3) Participating hospital location; and

(4) The hospital's accreditation status.

This paragraph does not apply to a carrier that offers network plans that consist solely of limited scope dental plans or limited scope vision plans; and

**C. For facilities, other than hospitals, by type:**

(1) The facility's name;

(2) The facility's type;

(3) Types of services performed; and

(4) Participating facility location or locations.

This paragraph does not apply to a carrier that offers network plans that consist solely of limited scope dental plans or limited scope vision plans.

**3. Additional information.** In the electronic provider directories for each network plan, a carrier shall make available the following information in addition to all of the information available under subsection 2:

**A. For health care professionals:**

(1) Contact information. This subparagraph does not apply to a carrier that offers network plans that consist solely of limited scope dental plans or limited scope vision plans;

(2) Board certifications. This subparagraph does not apply to a carrier that offers network plans that consist solely of limited scope dental plans or limited scope vision plans; and

(3) Languages other than English spoken by clinical staff, if applicable;

**B. For hospitals, the telephone number.** This paragraph does not apply to a carrier that offers network plans that consist solely of limited scope dental plans or limited scope vision plans; and

C. For facilities other than hospitals, the telephone number. This paragraph does not apply to a carrier that offers network plans that consist solely of limited scope dental plans or limited scope vision plans.

**4. Information available in printed form.** A carrier shall make available in print, upon request, the following provider directory information for the applicable network plan:

**A. For health care professionals:**

(1) The health care professional's name;

(2) The health care professional's contact information;

(3) Participating office location or locations;

(4) The health care professional's specialty, if applicable;

(5) Languages other than English spoken by the health care professional, if applicable; and

(6) Whether the health care professional is accepting new patients;

**B. For hospitals:**

(1) The hospital's name;

(2) The hospital's type; and

(3) Participating hospital location and telephone number; and

**C. For facilities, other than hospitals, by type:**

(1) The facility's name;

(2) The facility's type;

(3) Types of services performed; and

(4) Participating facility location and telephone number.

The carrier shall include a disclosure in the directory that the information included in the directory is accurate as of the date of printing and that covered persons or prospective covered persons should consult the carrier's electronic provider directory on its website to obtain current provider directory information.

**5. Rulemaking.** The superintendent may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 3. Effective date.** This Act takes effect January 1, 2018.

Effective January 1, 2018.

**CHAPTER 219**  
**S.P. 553 - L.D. 1575**

**An Act To Update the  
Statutes Governing the  
Bureau of Labor Standards To  
Promote Clarity for Workers  
and Employers**

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

**Sec. 1. 26 MRSA §41**, as amended by PL 1995, c. 560, Pt. H, §7 and affected by §17, is further amended to read:

**§41. Director; personnel; salaries; expenses**

The Bureau of Labor Standards within the Department of Labor, as established and referred to in this Title as the "bureau," is maintained under the direction of an officer whose title is Director of Labor Standards ~~and state factory inspector~~, referred to in this Title, except in chapter 13, as the "director." The director is appointed by the Commissioner of Labor and holds office at the pleasure of the commissioner. The director has an office at the seat of government. The director shall appoint, subject to the Civil Service Law, such employees as may be necessary.

**Sec. 2. 26 MRSA §42-B, sub-§1**, as enacted by PL 2001, c. 242, §1, is amended to read:

**1. Bureau to furnish poster or notice.** The bureau shall produce and furnish to employers posters or notices in electronic or printed form outlining state labor laws applicable to those employers and regulating:

- A. Employment of minors;
- B. Time of payment of wages;
- C. Safety and health of employees; ~~and~~
- D. Family medical leave;

E. Video display terminal safety as described in section 252, subsection 1; and

F. Minimum wage and overtime provisions as described in section 664.

The posters or notices may also include such other laws as may be required or useful.

**Sec. 3. 26 MRSA §42-B, sub-§3**, as enacted by PL 2001, c. 242, §1, is amended to read:

**3. Employer to post notice.** An employer subject to the laws outlined in the ~~printed~~ poster or notice issued by the bureau pursuant to subsection 1 shall post and keep posted in a place accessible to the employer's employees a copy of the ~~printed~~ poster or notice furnished by the bureau. An employer who violates this section ~~is subject to the penalties set forth in~~

~~section 704. may be assessed a fine by the department payable to the State as follows:~~

A. For the first violation, a fine of up to \$25 per day after being notified by the bureau of the violation, not to exceed \$1,000;

B. For a 2nd violation occurring within 3 years of a prior adjudication for a violation of this section, a fine of not less than \$25 per day after being notified by the bureau of the violation or more than \$50 per day, not to exceed \$2,500; or

C. For a 3rd or subsequent violation occurring within 3 years of 2 or more prior adjudications for a violation of this section, a fine of not less than \$25 per day after being notified by the bureau of the violation or more than \$100 per day, not to exceed \$5,000.

**Sec. 4. 26 MRSA §44, first ¶**, as amended by PL 2015, c. 138, §2, is further amended to read:

The director ~~as state factory inspector~~, and any authorized agent of the bureau, may enter any workplace as defined in section 1, provided by the State or by a state agency, county, municipal corporation, school district or other public corporation or political subdivision when the same are open or in operation, for the purpose of gathering facts and statistics under sections 42 to 44, and may examine the methods of protecting employees from danger, the safety and health of employees and sanitary conditions in and around such buildings and places, and may make a record of such inspection. Upon petition of the director, a Superior Court in the county in which any refusal to permit entry or fact gathering or inspection was alleged to have occurred may order appropriate injunctive relief against any person in charge of the workplace who refuses entry to the director or authorized agent of the bureau.

**Sec. 5. 26 MRSA §46, 6th ¶**, as amended by PL 1983, c. 296, is further amended to read:

Any employer who willfully or repeatedly violates any standard, rule or order ~~promulgated~~ adopted pursuant to section 565, ~~and if that violation is specifically determined to be a serious violation, shall must,~~ upon ~~conviction determination~~ conviction determination, be punished by a fine of not more than \$10,000 ~~or by imprisonment for not more than 6 months, or by both,~~ except that if the ~~conviction determination~~ conviction determination is for a violation committed after a first ~~conviction determination~~ conviction determination of ~~violation by~~ such person, punishment ~~shall must~~ be by a fine of not more than \$20,000, ~~or by imprisonment for not more than one year, or by both.~~

**Sec. 6. 26 MRSA §597**, as enacted by PL 1991, c. 366, is amended to read:

**§597. Conditions of employment**

An employer or an agent of an employer may not require, as a condition of employment, that any employee or prospective employee refrain from using tobacco products outside the course of that employment or otherwise discriminate against any person with respect to the person's compensation, terms, conditions or privileges of employment for using tobacco products outside the course of employment as long as the employee complies with any workplace policy concerning use of tobacco. This section does not prohibit an employer or an agent of an employer from offering a voluntary wellness program that offers incentives for the cessation of use of tobacco products in compliance with applicable federal regulations.

**Sec. 7. 26 MRSA §601**, as enacted by PL 1985, c. 212, is amended to read:

**§601. Rest breaks**

In the absence of a collective bargaining agreement or other written employer-employee agreement providing otherwise, an employee, as defined in section 663, may be employed or permitted to work for no more than 6 consecutive hours at one time unless ~~he~~ the employee is given the opportunity to take at least 30 consecutive minutes of rest time, except in cases of emergency in which there is danger to property, life, public safety or public health. This rest time may be used by the employee as a unpaid mealtime, but only if the employee is completely relieved of duty.

**1. Small business.** This section does not apply to any place of employment where:

A. Fewer than 3 employees are on duty at any one time; and

B. The nature of the work done by the ~~employees~~ employee allows ~~them~~ the employee frequent paid breaks of a shorter duration during ~~their~~ the employee's work day.

**Sec. 8. 26 MRSA §621-A, sub-§1**, as amended by PL 2005, c. 103, §1, is further amended to read:

**1. Minimum frequency and full payment.** At regular intervals not to exceed 16 days, every employer must pay in full all wages earned by each employee. Each payment must include all wages earned to within 8 days of the payment date. Payments that fall on a day when the business is regularly closed must be paid no later than the following business day. An employee who is absent from work at a time fixed for payment must be paid ~~on demand after that time~~ as if the employee was not absent.

**Sec. 9. 26 MRSA §621-A, sub-§2**, as enacted by PL 1999, c. 465, §2, is amended to read:

**2. Regular payment required.** Wages must be paid on an established day or date at regular intervals made known to the employee. ~~When the interval is less than the maximum allowed by subsection 1, the~~ The interval may not be increased without written notice to the employee at least 30 days in advance of the increase.

**Sec. 10. 26 MRSA §622**, as repealed and replaced by PL 1999, c. 465, §3, is amended to read:

**§622. Records**

Every employer shall keep a true record showing the date and amount paid to each employee pursuant to section 621-A. Every employer shall keep a daily record of the time worked by each such employee unless the employee is paid a salary that is fixed without regard for the number of hours worked. Records required to be kept by this section must be accessible to any representative of the department at any reasonable hour. Sections 621-A to 623 do not excuse any employer subject to section ~~702~~ 774 from keeping the records required by that section.

**Sec. 11. 26 MRSA §626, first ¶**, as amended by PL 1991, c. 162, is further amended to read:

An employee leaving employment must be paid in full ~~within a reasonable time after demand at the office of the employer where payrolls are kept and wages are paid, provided that any no later than the employee's next established payday.~~ Any overcompensation may be withheld if authorized under section 635 and any loan or advance against future earnings or wages may be deducted if evidenced by a statement in writing signed by the employee. Whenever the terms of employment include or the employer's established practice includes provisions for paid vacations, vacation pay on cessation of employment has the same status as wages earned.

**Sec. 12. 26 MRSA §626, last ¶**, as enacted by PL 1995, c. 580, §1, is amended to read:

Within 2 weeks after the sale of a business, the seller of the business shall pay employees of that business any wages earned while employed by the seller. If the terms of employment ~~include~~ or the employer's established practice includes provisions for paid vacations, vacation pay on cessation of employment has the same status as wages earned. The seller of a business may comply with the provisions of this paragraph through a specific agreement with the buyer in which the buyer agrees to pay any wages earned by employees through employment with the seller and to honor any paid vacation earned under the seller's vacation policy.

**Sec. 13. 26 MRSA §663, sub-§3, ¶H** is repealed.

**Sec. 14. 26 MRSA §663, sub-§9**, as enacted by PL 1973, c. 504, is repealed.

**Sec. 15. 26 MRSA §664, sub-§3, ¶F**, as amended by PL 2011, c. 681, §1, is further amended to read:

F. The canning; processing; preserving; freezing; drying; marketing; storing; packing for shipment; or ~~distribution~~ distributing of:

- (1) Agricultural produce;
- (2) Meat and fish products; and
- (3) Perishable foods.

Individuals employed, directly or indirectly, for or at an egg processing facility that has over 300,000 laying birds must be paid overtime in accordance with this subsection; and

**Sec. 16. 26 MRSA §668**, as amended by PL 1971, c. 620, §13, is repealed.

**Sec. 17. 26 MRSA c. 7, sub-c. 4, art. 1**, as amended, is repealed.

**Sec. 18. 26 MRSA §774, sub-§7** is enacted to read:

**7. Record of work hours of minors.** Every employer shall keep a time book or record for every minor employed in any occupation, except household work or the planting, cultivating or harvesting of field crops or other agricultural employment not in direct contact with hazardous machinery or hazardous substances, stating the number of hours worked by each minor on each day of the week. The time book or record must be open at all reasonable hours to the inspection of the director, a deputy of the director or any authorized agent of the bureau. An employer who fails to keep the time book or record required by this subsection or who makes any false entry to the time book or record, refuses to exhibit the time book or record or makes any false statement to the director, a deputy of the director or any authorized agent of the bureau in reply to any question in carrying out this section is liable for a violation of this section and is subject to penalties specified in section 781.

**Sec. 19. 26 MRSA §2105, first ¶**, as enacted by PL 1987, c. 356, is amended to read:

The Bureau of Labor Standards shall adopt an inspection procedure for self-contained breathing apparatus. The procedure must include at least the following, as specified in the ~~American National Standards Institute Z88.5~~ manufacturer's operation manual:

**Sec. 20. Retroactivity.** Notwithstanding the Maine Revised Statutes, Title 1, section 302, the provision of this Act that amends Title 26, section 664, subsection 3, paragraph F applies retroactively to September 29, 1995 but does not apply to cases pending on March 12, 2017.

See title page for effective date.

## CHAPTER 220 H.P. 238 - L.D. 324

### An Act To Allow Corrections Officers To Administer Naloxone

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

**Whereas**, corrections officers in regional and county jails need naloxone hydrochloride available for situations involving individuals who are overdosing on drugs; and

**Whereas**, these situations may occur at any time and naloxone hydrochloride must be made immediately available; 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 §2353, sub-§3**, as amended by PL 2015, c. 508, §3, is further amended to read:

**3. Authorized administration of naloxone hydrochloride by law enforcement officers, corrections officers and municipal firefighters.** A law enforcement agency as defined in Title 25, section 3701, subsection 1, a regional or county jail, a correctional facility as defined in Title 34-A, section 1001, subsection 6 or a municipal fire department as defined in Title 30-A, section 3151, subsection 1 is authorized to obtain a supply of naloxone hydrochloride to be administered in accordance with this subsection. A law enforcement officer as defined in Title 17-A, section 2, subsection 17, in accordance with policies adopted by the law enforcement agency, a corrections officer who possesses a current and valid certificate issued by the Board of Trustees of the Maine Criminal Justice Academy pursuant to Title 25, section 2803-A, in accordance with policies adopted by the jail or correctional facility, and a municipal firefighter as defined in Title 30-A, section 3151, subsection 2, in accordance with policies adopted by the municipality, may administer intranasal naloxone hydrochloride as clinically indicated if the officer or firefighter has received medical training in accordance with protocols adopted by the Medical Direction and Practices Board established in Title 32, section 83, subsection 16-B. The Medical Direction and Practices Board shall establish medical training protocols for law enforcement

officers, corrections officers and municipal firefighters pursuant to this subsection.

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

Effective June 16, 2017.

## CHAPTER 221

S.P. 322 - L.D. 983

### An Act To Increase Efficiency in the Enforcement of Restitution and Bail Orders

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

**Sec. 1. 15 MRSA §1094, sub-§2-A** is enacted to read:

**2-A. Violation of unsecured preconviction bail.**  
If the court determines that an offender has violated unsecured preconviction bail and that the violation is not excused, the court shall enter an order of forfeiture of bail, which may not exceed the amount of the unsecured bail previously set. The attorney for the State may take action to collect the amount forfeited using measures authorized for the collection of unpaid restitution under Title 17-A, section 1326-A, including, but not limited to, entering into agreements with the offender for payment over a set period of time not to exceed one year. In order to satisfy an order of forfeiture entered under this subsection, pursuant to Title 36, section 5276-A, the State Tax Assessor may withhold tax refunds owed to an offender.

See title page for effective date.

## CHAPTER 222

H.P. 55 - L.D. 68

### An Act To Implement an Owner-Operator Requirement in the Scallop and Sea Urchin Fisheries

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

**Sec. 1. 12 MRSA §6702, sub-§2-A**, as enacted by PL 2007, c. 607, Pt. A, §2, is amended to read:

**2-A. Exemptions.** Notwithstanding subsection 2, the commissioner may authorize a person to fish for or take scallops from a boat when the person holding a

scallop dragging license that contains the name of that boat is not on board if:

A. The holder of the scallop dragging license documents to the commissioner that an illness or disability temporarily prevents the license holder from fishing for or taking scallops from that boat and requests in writing to the commissioner that the commissioner authorize another person to use that boat to fish for or take scallops; or

B. The boat named on the license of a license holder is temporarily inoperable because of an accident or a mechanical failure and the license holder requests in writing to the commissioner that the commissioner authorize the license holder to use another boat to fish for or take scallops.

This subsection is repealed January 1, 2018.

**Sec. 2. 12 MRSA §6720** is enacted to read:

#### **§6720. Vessel limitation**

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

A. "Family member" means a spouse, brother, sister, son-in-law, daughter-in-law, parent by blood, parent by adoption, mother-in-law, father-in-law, child by blood, child by adoption, step-child, stepparent, grandchild or grandparent.

B. "Owner" means:

(1) An individual who is the owner of a vessel registered under chapter 935 or the owner of a vessel documented under 46 Code of Federal Regulations, Part 67;

(2) The person who owns the highest percentage of a partnership, corporation or other entity that is the owner of a vessel registered under chapter 935 or a vessel documented under 46 Code of Federal Regulations, Part 67; or

(3) When 2 or more people own in equal proportion the highest percentages of a partnership, corporation or other entity that owns a vessel registered under chapter 935 or a vessel documented under 46 Code of Federal Regulations, Part 67, one of the highest percentage owners as designated by the owners of that partnership, corporation or other entity.

**2. Owner or family member on board.** Beginning January 1, 2018, except as provided in subsection 3, a vessel may not be used for dragging for scallops in the State's territorial waters unless that vessel is owned by a person holding a scallop dragging license issued under section 6702 and:

A. The owner of that vessel is present on that vessel and has that vessel named on the owner's scallop dragging license; or

B. A family member of the vessel owner holds a scallop dragging license issued under section 6702 and is present on that vessel.

**3. Exemptions; individuals.** Beginning January 1, 2018, the commissioner may authorize a person to drag for scallops from a vessel when an owner or family member is not on board pursuant to subsection 2 if that person holds a scallop dragging license issued under section 6702 and:

A. The owner of that vessel holds a scallop dragging license issued under section 6702, documents to the commissioner that an illness or disability temporarily prevents that owner from fishing for or taking scallops from that vessel and requests in writing to the commissioner that the commissioner authorize that person to use that vessel to fish for or take scallops;

B. Is the owner of a vessel that has become temporarily inoperable because of an accident or a mechanical failure and requests in writing permission from the commissioner to use that vessel to fish for or take scallops;

C. Was the owner of a vessel that was named on that person's scallop dragging license but is no longer the owner of that vessel due to sale or foreclosure. The person must demonstrate immediate intent to become the owner of another vessel to be used to fish for or take scallops and request in writing permission from the commissioner to use the other vessel to fish for or take scallops for a limited period of time; or

D. The person recorded landings of scallops taken by dragging during the scallop dragging season that ended immediately prior to November 30, 2017, dragged for those scallops from one boat and that boat did not have on board an individual who meets the requirements of subsection 2, paragraph A or B and the owner of the boat was a family member of the person applying for the exemption under this paragraph.

**4. Exemptions based upon 2017 fishing.** Beginning January 1, 2018, a person may drag for scallops from a vessel when an owner or family member is not on board pursuant to subsection 2 during the first scallop dragging season that begins after November 30, 2017 pursuant to section 6722 if that person holds a scallop dragging license issued under section 6702 and:

A. The person recorded landings of scallops taken by dragging during the scallop dragging season that ended immediately prior to November 30, 2017 pursuant to section 6722, dragged for

those scallops from one boat and that boat did not have on board an individual who meets the requirements of subsection 2, paragraph A or B and the owner of the boat was a family member of the person applying for the exemption under this paragraph. A person qualifies for the exemption under this paragraph only as long as the person drags for scallops and records landings of scallops taken by dragging from the same boat used to originally qualify for this exemption and that boat is owned by the same family member; or

B. The person recorded landings of scallops taken by dragging during the scallop dragging season that ended immediately prior to November 30, 2017 pursuant to section 6722, dragged for those scallops from one boat and that boat did not have on board an individual who meets the requirements of subsection 2, paragraph A or B. A person qualifies for the exemption under this paragraph only as long as the person drags for scallops and records landings of scallops taken by dragging from the same boat used to originally qualify for this exemption.

This paragraph is repealed January 1, 2020.

**5. Rules.** The commissioner may adopt rules to implement and administer this section. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

**Sec. 3. 12 MRSA §6722, sub-§1,** as repealed and replaced by PL 2007, c. 695, Pt. I, §6, is amended to read:

**1. Scallop dragging season.** Unless modified by rules adopted under section 6171-A, a person may not fish for or take scallops by dragging in the territorial waters from April 16th to November 30th, both days inclusive.

**Sec. 4. 12 MRSA §6748-A, sub-§2-B, ¶¶A and B,** as enacted by PL 2001, c. 327, §7 and affected by §21, are amended to read:

A. The holder of the sea urchin dragging license documents to the commissioner that an illness or disability temporarily prevents the license holder from fishing for or taking sea urchins from that vessel and requests in writing to the commissioner that the commissioner authorize another person to use that vessel to fish for or take sea urchins from the vessel;

This paragraph is repealed January 1, 2018;

B. The vessel named on the license of a license holder is temporarily inoperable because of an accident or a mechanical failure and the license holder requests in writing to the commissioner that the commissioner authorize the license holder to use another vessel to fish for or take sea urchins;

This paragraph is repealed January 1, 2018; or

Sec. 5. 12 MRSA §6749-D is enacted to read:

**§6749-D. Vessel limitation**

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

A. "Family member" means a spouse, brother, sister, son-in-law, daughter-in-law, parent by blood, parent by adoption, mother-in-law, father-in-law, child by blood, child by adoption, stepchild, stepparent, grandchild or grandparent.

B. "Owner" means:

(1) An individual who is the owner of a vessel registered under chapter 935 or the owner of a vessel documented under 46 Code of Federal Regulations, Part 67;

(2) The person who owns the highest percentage of a partnership, corporation or other entity that is the owner of a vessel registered under chapter 935 or a vessel documented under 46 Code of Federal Regulations, Part 67; or

(3) When 2 or more people own in equal proportion the highest percentages of a partnership, corporation or other entity that owns a vessel registered under chapter 935 or a vessel documented under 46 Code of Federal Regulations, Part 67, one of the highest percentage owners as designated by the owners of that partnership, corporation or other entity.

**2. Owner or family member on board.** Beginning January 1, 2018, except as provided in subsection 3, a vessel may not be used for dragging for sea urchins in the State's territorial waters unless that vessel is owned by a person holding a sea urchin dragging license issued under section 6748-A and:

A. The owner of that vessel is present on that vessel and has that vessel named on the owner's sea urchin dragging license; or

B. A family member of the vessel owner holds a sea urchin dragging license issued under section 6748-A and is present on that vessel.

**3. Exemptions; individuals.** Beginning January 1, 2018, the commissioner may authorize a person to drag for sea urchins from a vessel when an owner or family member is not on board pursuant to subsection 2 if that person holds a sea urchin dragging license issued under section 6748-A and:

A. The owner of that vessel holds a sea urchin dragging license issued under section 6748-A, documents to the commissioner that an illness or disability temporarily prevents that owner from

fishing for or taking sea urchins from that vessel and requests in writing to the commissioner that the commissioner authorize that person to use that vessel to fish for or take sea urchins;

B. Is the owner of a vessel that has become temporarily inoperable because of an accident or a mechanical failure and requests in writing permission from the commissioner to use that vessel to fish for or take sea urchins; or

C. Was the owner of a vessel that was named on that person's sea urchin dragging license but is no longer the owner of that vessel due to sale or foreclosure. The person must demonstrate immediate intent to become the owner of another vessel to be used to fish for or take sea urchins and request in writing permission from the commissioner to use the other vessel to fish for or take sea urchins for a limited period of time.

**4. Exemptions based upon 2017 fishing.** Beginning January 1, 2018, a person may drag for sea urchins from a vessel when an owner or family member is not on board pursuant to subsection 2 during the first sea urchin dragging season that begins after August 31, 2017 if that person holds a sea urchin dragging license issued under section 6748-A and:

A. The person recorded landings of sea urchins taken by dragging during the sea urchin dragging season that ended immediately prior to August 31, 2017, dragged for those sea urchins from one boat and that boat did not have on board an individual who meets the requirements of subsection 2, paragraph A or B and the owner of the boat was a family member of the person applying for the exemption under this paragraph. A person qualifies for the exemption under this paragraph only as long as the person drags for sea urchins and records landings of sea urchins taken by dragging from the same boat used to originally qualify for this exemption and that boat is owned by the same family member; or

B. The person recorded landings of sea urchins taken by dragging during the sea urchin dragging season that ended immediately prior to August 31, 2017, dragged for those sea urchins from one boat and that boat did not have on board an individual who meets the requirements of subsection 2, paragraph A or B. A person qualifies for the exemption under this paragraph only as long as the person drags for sea urchins and records landings of sea urchins taken by dragging from the same boat used to originally qualify for this exemption.

This paragraph is repealed January 1, 2020.

**5. Rules.** The commissioner may adopt rules to implement and administer this section. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

**Sec. 6. 12 MRSA §6954-C, sub-§1**, as amended by PL 2001, c. 272, §17, is further amended to read:

**1. Gear requirements.** ~~It is unlawful to~~ The holder of a scallop dragging license or sea urchin dragging license may not possess on the boat identified on that person's license or fish with in the territorial waters northerly and inshore of the international bridge that connects Lubec to Campobello Island, New Brunswick, Canada ~~with~~ any drag or combination of drags:

A. That measures in excess of 5 feet, 6 inches in width measuring from one extreme outside edge of the mouth of the drag or combination of drags to the opposite extreme outside edge; and

B. If used for the taking of scallops, that is greater than 8 rings deep.

**Sec. 7. 12 MRSA §6954-C, sub-§1-A** is enacted to read:

**1-A. Exception.** Notwithstanding subsection 1, the holder of a sea urchin dragging license may possess gear used for dragging scallops on the boat identified on that person's sea urchin dragging license if that boat is also identified on any scallop dragging license and there are no scallops on that boat.

See title page for effective date.

## CHAPTER 223

### H.P. 427 - L.D. 611

#### An Act To Amend Certain Laws Affecting the Judicial Branch

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

**Sec. 1. 4 MRSA §55**, as amended by PL 1983, c. 164, is further amended to read:

#### §55. Preservation of briefs

The clerk of the Supreme Judicial Court shall preserve 2 complete sets of briefs ~~filed~~ in all cases decided in the Supreme Judicial Court sitting as the Law Court. ~~Under the direction of the Chief Justice these briefs shall be arranged in order. One set each shall thereupon be delivered to the law libraries respectively of Cumberland and Penobscot Counties for preservation and reference~~ The clerk shall provide complete sets of the briefs to the law library of Cumberland County and to the Law and Legislative Reference Library, either by delivering a physical set to each library or by delivering or providing access to an electronic copy of the briefs. All expenses incurred in preparation and delivery of these briefs ~~shall~~ must be

paid by the State from the appropriation for expenses of the Supreme Judicial Court.

**Sec. 2. 5 MRSA §48-A, sub-§1, ¶M**, as amended by PL 2009, c. 174, §1, is further amended to read:

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

(d) Possesses qualifications, certifications or credentials to interpret in court proceedings as established by the Supreme Judicial Court; 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, 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.

**Sec. 3. 14 MRSA §1202-A**, as enacted by PL 1981, c. 705, Pt. G, §2, is amended to read:

#### §1202-A. Prohibition of discrimination

A citizen shall not be excluded from jury service in this State on account of race, color, religion, sex, sexual orientation as defined in Title 5, section 4553, subsection 9-C, national origin, ancestry, economic status, marital status, age or physical handicap, except as provided in this chapter.

**Sec. 4. 18-A MRSA §5-205**, as enacted by PL 1979, c. 540, §1, is amended to read:

**§5-205. Court appointment of guardian of minor; venue**

The venue for guardianship proceedings for a minor is in the ~~place~~ county or division where the minor resides or is present, where the petitioner or a parent or guardian of the child resides or where another proceeding concerning custody or other parental rights with respect to the child is pending.

**Sec. 5. 18-A MRSA §9-104**, as amended by PL 1997, c. 239, §1 and affected by §6, is further amended to read:

**§9-104. Venue; transfer**

(a). If the adoptee is placed by a licensed child-placing agency or the department, the petition for adoption must be filed in the court in the county or division where:

- (1). The petitioner resides;
- (2). The adoptee resides or was born; ~~or~~
- (3). An office of the agency that placed the adoptee for adoption is located; ~~or~~
- (4). The parental rights of the minor adoptee's parents were terminated.

(b). If the adoptee is not placed by a licensed child-placing agency or the department, the petition for adoption must be filed in the county or division where the adoptee resides or where the petitioners reside.

(c). If, in the interests of justice or for the convenience of the parties, the court finds that the matter should be heard in another ~~probate~~ court, the court may transfer, stay or dismiss the proceeding, subject to any further conditions imposed by the court.

See title page for effective date.

**CHAPTER 224****H.P. 461 - L.D. 647**

**An Act Regarding Certain  
Shellfish Certificates and  
Permits Issued by the  
Department of Marine  
Resources**

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

**Sec. 1. 12 MRSA §6852, sub-§4**, as amended by PL 2013, c. 282, §11 and affected by §12, is further amended to read:

**4. Fee.** The fee for a retail seafood license under subsection 1 is \$100. The fee for an enhanced retail

certificate under subsection 2-A is ~~\$28~~ \$100 and must be deposited in the Shellfish Fund under section 6651.

**Sec. 2. 12 MRSA §6856**, as amended by PL 2015, c. 68, §§10 and 11, is further amended to read:

**§6856. Shellfish sanitation; depuration certificate and permits**

**1. Shellfish sanitation certificate.** A person may not undertake the processing, buying, selling, shipping, transporting or shucking of shellfish or whole scallops without a shellfish sanitation certificate unless authorized under section 6701 or 6702. The commissioner may issue a shellfish sanitation certificate to a wholesale seafood license holder or a shellfish transportation license holder that authorizes the holder to undertake the activities expressly authorized therein, which may include buying and selling, shipping, transporting, shucking or other processing of shellfish or whole scallops. A wholesale seafood license or shellfish transportation license is also necessary to undertake the activities authorized under those licenses. A shellfish sanitation certificate does not authorize a person to undertake any of the activities for which a permit is required pursuant to subsection 2-A. Beginning June 1, 2018, the fee for a shellfish sanitation certificate is \$50.

**2. Express authorizations.** The commissioner shall expressly state the authorized activities on each shellfish sanitation certificate. The activities authorized must be sufficient to allow the holder to carry out the holder's wholesale or transportation operations, except that the operations may be limited to the extent required to protect the public health.

**2-A. Additional permits.** A person may not engage in an activity for which a permit is required pursuant to this subsection unless the person holds a shellfish sanitation certificate and the applicable permit as provided in this subsection.

A. A person may not store shellfish in containers or tanks containing recirculating water without a recirculating wet storage permit. Beginning August 1, 2018, the fee for a recirculating wet storage permit is \$200, except that the fee for a recirculating wet storage permit is \$100 if the holder of the permit accepts as a permit condition the duty to provide and provides the department weekly test results showing the recirculating wet storage facility's compliance with the most recently adopted federal sanitation standards.

B. A person may not store shellfish in containers or tanks where nonrecirculating water flows through the containers or tanks or in or on floats in a natural body of water without a flow-through wet storage permit. Beginning August 1, 2018, the fee for a flow-through wet storage permit is \$100.

C. A person may not handle, ship, transport or process shellfish in bulk, as defined by the department by rule, without:

(1) Attaching a tag to the shellfish in accordance with rules adopted by the department; and

(2) A bulk tagging permit. Beginning June 1, 2018, the fee for a bulk tagging permit is \$50.

D. A person may not use a vehicle to transport soft-shelled clam shell stock purchased at a location other than the establishment or vehicle authorized under the license without a shellfish buying station permit. Beginning June 1, 2018, the fee for a shellfish buying station permit is \$100.

**3. Depuration certificate.** A person may not take shellfish from closed areas for depuration, processing and transportation without a depuration certificate. The commissioner may issue a depuration certificate to a wholesale seafood license holder that authorizes the holder to take shellfish from closed areas for depuration, processing and transportation. The certificate must establish limits on harvesting, depurating and processing methods and any other provisions required to ensure the public safety. The commissioner may permit depuration of shellfish not contaminated by paralytic shellfish poisoning if it is established that the water used during depuration will not contaminate the shellfish with paralytic shellfish poisoning. Beginning May 1, 2018, the fee for a depuration certificate is \$200.

**3-D. Soft-shelled clam depuration harvesting in municipalities with municipal shellfish conservation programs.** Soft-shelled clam depuration activities conducted within a municipality that has a municipal shellfish conservation program pursuant to section 6671 are subject to the following provisions.

A. Using the following general guidelines to identify whether pollution abatement activities are likely to succeed in a shellfish growing area, the commissioner may close a shellfish growing area pursuant to section 6172 for municipal pollution abatement activities.

(1) Pollution abatement activities are likely to succeed in shellfish growing areas affected by identified failing residential septic systems and other identified localized sources of human or animal fecal contamination when funding for abatement is available.

(2) Pollution abatement activities are not likely to succeed in shellfish growing areas affected by wastewater treatment plant outfall or other point sources of treated or partially treated sewage unless complete removal of pollution sources has been achieved.

(3) Abatement activities are not likely to succeed in shellfish growing areas affected by chronic nonpoint source contamination from rivers or streams.

At the request of the municipality, the commissioner may allow soft-shelled clam depuration harvesting in a shellfish growing area closed under this paragraph.

B. In conducting depuration harvesting activities under this subsection, a person holding a depuration certificate shall engage commercial harvesters holding valid municipal and state commercial shellfish licenses. If there are insufficient municipally licensed commercial harvesters, the depuration certificate holder may supplement with other commercial shellfish harvesters licensed in the State.

C. A depuration certificate holder shall maintain a generalized depuration management plan on file with the commissioner that sets forth methods for identifying harvest limits, operational procedures for harvest management and responsibilities of authorized representatives.

D. A depuration certificate holder shall pay each municipality an amount equal to 50¢ for each bushel of soft-shelled clams taken in that municipality under the depuration certificate. When submitting payment to a municipality under this paragraph, the depuration certificate holder shall include a summary of reports submitted to the department pursuant to rules adopted under subsection 4.

**4. Rules.** The commissioner may adopt or amend rules concerning:

A. The procedures for issuing certificates and the required qualifications for each type of certificate;

B. The minimum sanitation standards for establishments and vehicles;

C. The sanitation and quality control standards for shellfish and whole scallops and their products;

D. The methods for taking, handling, shipping, transporting and processing of shellfish and whole scallops taken from closed areas;

E. The records and reports of takings, purchases, processing, sales, shipping and transporting of shellfish and whole scallops;

F. The labeling or marking of shipments of shellfish and whole scallops; and

G. Other rules necessary to the public health.

The rules must be based on the particular operational requirements of each activity, the most recently adopted federal sanitation standards and the most re-

cent generally accepted research data, in a manner so as to protect the public health and safety while allowing reasonable use of the State's shellfish and whole scallops.

**5. Right of entry.** Whenever a certificate has been issued under this section, the commissioner, or the commissioner's agent, must have access to any establishment or part thereof for the purpose of inspection or collection of samples. Denial of access is grounds for suspension or revocation of any certificate or license under the provisions of section 6372.

**6. Products embargoed and condemned.** The commissioner, or the commissioner's agent, shall indefinitely embargo, condemn or order to be destroyed any shellfish, shellfish product or whole scallop in any establishment whenever it is determined that the product is of unsound quality, contains any filthy, decomposed or putrid substance, or may be poisonous or deleterious to health or otherwise unsafe. The commissioner and the commissioner's agent shall cooperate with those state and federal agencies having similar responsibility in the protection of public health and in enforcing the order to embargo, condemn or destroy.

In the event that any shellfish, shellfish product or whole scallop in any establishment is embargoed, condemned or ordered destroyed, the commissioner, or the commissioner's agent, shall, as soon thereafter as practical, notify the owner in writing of the amount and kind of shellfish, shellfish product or whole scallop embargoed, condemned or destroyed.

**9. Disposition of fees.** The commissioner shall deposit fees collected under this section in the Shellfish Fund under section 6651.

**Sec. 3. Effective date.** That section of this Act that amends the Maine Revised Statutes, Title 12, section 6852, subsection 4 takes effect April 1, 2018.

See title page for effective date, unless otherwise indicated.

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**CHAPTER 225**  
**H.P. 547 - L.D. 767**

**An Act To Prohibit Feeding or  
Baiting Deer During  
Certain Parts of the Year**

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

**Sec. 1. 12 MRSA §10659** is enacted to read:  
**§10659. Feeding or baiting of deer**

**1. Prohibition.** A person may not place salt or any other bait or food in a place to entice deer to that place from June 1st to the start of an open hunting

season on deer and, if all open hunting seasons on deer are closed before December 15th for that year, from the close of the last open hunting season on deer to December 15th.

**2. Penalty.** A person who violates subsection 1 commits a Class E crime.

See title page for effective date.

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**CHAPTER 226**  
**H.P. 618 - L.D. 869**

**An Act To Amend the Laws  
Governing Tagging of  
Harvested Animals**

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

**Sec. 1. 12 MRSA §12303-A, sub-§1-A, ¶¶B and C,** as enacted by PL 2003, c. 655, Pt. B, §230 and affected by §422, are amended to read:

B. A person may leave an unregistered animal harvested by that person in the woods if that person notifies a game warden within 18 hours as to the location of that animal and the circumstances necessitating leaving that animal in the woods; ~~and~~

C. A person on a hunting trip in an unorganized township and staying at a temporary place of lodging may keep an unregistered harvested animal at the temporary place of lodging for no more than 7 days or until that person leaves the woods, whichever comes first; ~~and~~

**Sec. 2. 12 MRSA §12303-A, sub-§1-A, ¶D** is enacted to read:

D. A person may keep an unregistered animal harvested by that person if that person notifies a game warden within 18 hours as to the location of that animal and the circumstances preventing the person from registering the animal in accordance with subsection 1.

See title page for effective date.

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**CHAPTER 227**  
**H.P. 926 - L.D. 1332**

**An Act To Prohibit  
Possession of Black Powder  
and Muzzle-loading Firearms  
by Certain Persons**

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

**Sec. 1. 15 MRSA §393, sub-§2**, as amended by PL 2013, c. 424, Pt. A, §5, is further amended to read:

**2. Application after 5 years.** A person subject to the provisions of subsection 1, paragraph A-1 or C as a result of a conviction or adjudication may, after the expiration of 5 years from the date that the person is finally discharged from the sentences imposed as a result of the conviction or adjudication, apply to the commissioner before January 1, 2018 for a permit to carry a firearm subject to subsection 4. A person subject to the provisions of subsection 1, paragraph A-1, subparagraphs (1) to (4) or paragraph C as a result of a conviction or adjudication may, after the expiration of 5 years from the date that the person is finally discharged from the sentences imposed as a result of the conviction or adjudication, apply to the commissioner on or after January 1, 2018 for a permit to carry a firearm subject to subsection 4. That person may not be issued a permit to carry a concealed handgun pursuant to Title 25, chapter 252. A permit issued pursuant to this subsection is valid for 4 years from the date of issue unless sooner revoked for cause by the commissioner. For purposes of this subsection, "firearm" does not include a firearm defined under 18 United States Code, Section 921(3).

See title page for effective date.

**CHAPTER 228**

**H.P. 956 - L.D. 1377**

**An Act To Prohibit Posing as a Governmental Entity in Commerce**

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

**Sec. 1. 10 MRSA c. 229** is enacted to read:

**CHAPTER 229**

**POSING AS A GOVERNMENTAL ENTITY OR AGENT IN COMMERCE**

**§1500-H. Posing as a governmental entity or agent in commerce**

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

A. "Governmental entity" means a unit, subdivision or entity of the Federal Government, the State, a county, a municipality or another state, including an agency, department, board, commission, bureau, division or military or public safety organization.

**2. False representation of posing as a governmental entity or agent in commerce.** A person who is not an official, agent or representative of a governmental entity or who does not have express approval of a governmental entity may not in commerce:

A. Represent, imply or otherwise cause a likelihood of confusion that the person is an official, agent or representative of a governmental entity in the sale, advertising for sale, marketing, offering, distribution or solicitation of any goods or services;

B. Simulate a summons, complaint, jury notice, tax form or other judicial or administrative process or make an untrue statement that any good, service, advertisement or offer was sent or distributed by or has been approved, authorized or endorsed in whole or in part by a governmental entity;

C. Use language or a symbol, logo, representation, statement, title, name, seal, emblem, insignia, trade or brand name, business or control tracking number, website, e-mail address or any other term or content that falsely represents or implies or otherwise causes a likelihood of confusion that any goods, services, advertisement or offer is from a governmental entity; or

D. Offer a document that is available free of charge or at a lesser price from a governmental entity without conspicuously disclosing that availability in a manner that is clearly visible to a consumer.

**3. Unfair trade practice.** A violation of this section constitutes an unfair or deceptive act or practice in violation of Title 5, chapter 10.

See title page for effective date.

**CHAPTER 229**

**H.P. 1084 - L.D. 1577**

**An Act To Amend the Motor Vehicle Laws**

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

**Sec. 1. 5 MRSA §17716**, as amended by PL 2007, c. 491, §135, is further amended to read:

**§17716. Motor vehicle detectives**

A motor vehicle ~~investigator~~ detective, senior motor vehicle ~~investigator~~ detective, principal motor vehicle ~~investigator~~ detective or chief motor vehicle ~~investigator~~ detective who elects the retirement option provided in section 17851, subsection 14 shall contribute to the State Employee and Teacher Retirement

Program or have pick-up contributions made by the employer as provided in section 17852, subsection 15.

**Sec. 2. 5 MRSA §17851, sub-§14**, as enacted by PL 1997, c. 402, §2, is amended to read:

**14. Motor vehicle detectives; option.** A motor vehicle ~~investigator detective~~, senior motor vehicle ~~investigator detective~~, principal motor vehicle ~~investigator detective~~ or chief motor vehicle ~~investigator detective~~ qualifies for a service retirement benefit upon reaching 55 years of age after completing at least 25 years of creditable service in that capacity if notice of election of the option and payment of employee contributions and actuarial costs are made as provided in section 17852, subsection 15.

**Sec. 3. 5 MRSA §17852, sub-§15**, as amended by PL 2007, c. 491, §§171, 172, is further amended to read:

**15. Motor vehicle investigators and motor vehicle detectives; option.** The retirement benefit of a person who qualifies under section 17851, subsection 14 and who retires upon or after reaching 55 years of age is computed in accordance with subsection 1 if:

A. The person was first employed as a motor vehicle investigator or a motor vehicle detective on or after October 1, 1997, elects the option provided in section 17851, subsection 14 and pays to the State Employee and Teacher Retirement Program an increased employee payroll contribution in an amount that equals the full actuarial cost of electing that option; or

B. The person was first employed as a motor vehicle investigator before October 1, 1997, elects the option provided in section 17851, subsection 14 and pays to the State Employee and Teacher Retirement Program a single payment or periodic payments of a lump sum or a combination of single and periodic payments of that amount that equals the full actuarial cost of electing that option for service before that date.

A person who requests calculation of the full actuarial cost, regardless of whether the person elects the option, must pay to the retirement system by a single lump sum payment the reasonable administrative costs of determining the full actuarial costs. Payment of the full actuarial cost related to service on or after October 1, 1997 is made as part of the employee payroll contribution.

For the purposes of this subsection, "full actuarial cost" means that the person's payment or payments must fully offset any unfunded liability that would or does result from retirement under the option provided in section 17851, subsection 14 and must fully fund the cost of the person's retirement prior to normal retirement age so that an additional employer contribution is not required.

A person who makes the election provided in section 17851, subsection 14 at any time after the date on which the person is first employed as a motor vehicle investigator or a motor vehicle detective must include interest, at a rate to be set by the board not to exceed regular interest by 5 or more percentage points, applied as of the date on which the person was first employed in that capacity to the contributions the person would have paid or had picked up by the employer had the person elected that option at the date of first employment.

This subsection takes effect October 1, 1997. Election to retire under this subsection is a one-time irrevocable election. A person who was first employed as a motor vehicle investigator or a motor vehicle detective on or after October 1, 1997 must make the election no later than 90 days after the date of first employment. A person who was first employed in that capacity before October 1, 1997 must make the election no later than January 1, 1998.

**Sec. 4. 5 MRSA §17852, sub-§16**, as enacted by PL 1997, c. 401, §3, is further amended to read:

**16. Motor vehicle detectives exercising option; retirement before 55 years of age.** For a person exercising the option provided in section 17851, subsection 14 who makes the payments required in subsection 15 and who retires before reaching 55 years of age, the retirement benefit is determined as follows.

A. For members with 10 years of creditable service on July 1, 1993, the retirement benefit is determined in accordance with subsection 1, except that:

(1) The amount arrived at under subsection 1 is reduced by applying to that amount the percentage that a life annuity due at 55 years of age bears to the life annuity due at the age of retirement; and

(2) For the purpose of making the computation under subparagraph (1), the board-approved tables of annuities in effect at the date of the member's retirement are used.

For the purpose of calculating creditable service under this subsection only, "creditable service" includes time during which a member participated in the voluntary cost-savings plan or the voluntary employee incentive program; authorized by Public Law 1989, chapter 702, Part F, section 6 and Public Law 1991, chapter 591, Part BB and chapter 780, Part VV; 10 years of combined creditable service under this Part and Title 3, chapter 29; or creditable service available to a member that the member was eligible to purchase on June 30, 1993 and that the member does purchase in accordance with rules adopted by the board.

B. For members who do not have 10 years of creditable service on July 1, 1993, the retirement benefit is determined in accordance with subsection 1, except that the benefit is reduced by 6% for each year that the person's age precedes 55 years of age.

**Sec. 5. 20-A MRSA §12552, sub-§2**, as amended by PL 2009, c. 421, §1, is further amended to read:

**2. Law enforcement officer.** "Law enforcement officer" means an active state police officer, municipal police officer, county sheriff or deputy sheriff in this State. "Law enforcement officer" also means an active game warden, fire marshal, forest ranger, Baxter State Park ranger, detective employed by the Office of the Attorney General pursuant to Title 5, section 202, person employed by the Department of Corrections as an investigative officer as defined in Title 34-A, section 1001, subsection 10-A, juvenile community corrections officer as described in Title 34-A, section 5602, probation officer, security officer appointed by the Commissioner of Public Safety pursuant to Title 25, section 2908, motor vehicle ~~investigator~~ detective or supervisor appointed by the Secretary of State pursuant to Title 29-A, section 152, military security police officer appointed by the Adjutant General, University of Maine System police officer or marine patrol officer, if employed on a full-time basis in that position in this State.

**Sec. 6. 25 MRSA §1611, sub-§5**, as amended by PL 2013, c. 147, §2, is further amended to read:

**5. Law enforcement officer or officer.** "Law enforcement officer" or "officer" means an active state police officer, municipal police officer, county sheriff, deputy sheriff, game warden, an employee of the Office of the State Fire Marshal who has law enforcement powers pursuant to section 2396, subsection 7, fire marshal, judicial marshal, forest ranger, Baxter State Park ranger, a detective employed by the Office of the Attorney General pursuant to Title 5, section 202, a person employed by the Department of Corrections as an investigative officer as defined in Title 34-A, section 1001, subsection 10-A, a juvenile community corrections officer as described in Title 34-A, section 5602, a probation officer, a security officer appointed by the Commissioner of Public Safety pursuant to section 2908, a motor vehicle ~~investigator~~ detective or supervisor appointed by the Secretary of State pursuant to Title 29-A, section 152, a military security police officer appointed by the Adjutant General, a University of Maine System police officer or marine patrol officer in this State.

**Sec. 7. 29-A MRSA §101, sub-§80-A** is enacted to read:

**80-A. Tow-away transporter combination.** "Tow-away transporter combination" means a combi-

nation of vehicles, with a combined gross weight not exceeding 26,000 pounds, consisting of a truck or truck and tractor and 2 trailers or semitrailers, which do not carry property and constitute inventory property of a manufacturer, distributor or dealer of such trailers or semitrailers.

**Sec. 8. 29-A MRSA §152, sub-§2**, as amended by PL 2007, c. 12, §1, is further amended to read:

**2. Deputize agents, examiners and detectives.** Appoint and deputize agents, examiners and motor vehicle ~~investigators~~ detectives, stationed at convenient places, to receive applications for registration and licenses for the operation of vehicles, to conduct examinations and to perform assigned duties.

A motor vehicle ~~investigator~~ detective has the powers and duty to enforce all provisions of this Title and Title 17-A and all the laws of the State with the same powers that a sheriff has in a county. A motor vehicle ~~investigator~~ detective is at all times subject to all other investigatory duties assigned by the Secretary of State.

**Sec. 9. 29-A MRSA §201, sub-§1**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**1. Appointment of agents by Secretary of State; scope of authority.** With the approval of the municipal officers, the Secretary of State may appoint a municipal tax collector, or other persons designated by a municipality, to collect excise taxes on vehicles and to receive applications for ~~licenses, noncommercial driver's license renewals, and duplicates, non-driver identification card renewals and duplicates and new registrations and renewals of registrations of motor vehicles, trailers and semitrailers.~~ The Secretary of State may authorize a municipal agent to issue ~~licenses, registrations and renewals and duplicates of noncommercial driver's licenses and, nondriver identification cards, new registrations and renewals of registrations~~ or may limit the agent's authority to the issuance of renewals only.

**Sec. 10. 29-A MRSA §201, sub-§3**, as amended by PL 2005, c. 573, §2, is further amended to read:

**3. Service fees.** Municipal agents appointed in accordance with subsection 1 may charge service fees for ~~licenses, registrations and renewals of licenses and registrations~~ as follows.

A. A municipal agent may charge an applicant a fee not to exceed \$3 over the required fee for each renewal of a noncommercial driver's license or nondriver identification card or registration issued and a fee not to exceed \$4 over the required fee for each new ~~license or~~ registration issued.

B. In a municipality in which agents are authorized to issue ~~licenses, registrations or renewals of~~

noncommercial driver's licenses, nondriver identification cards or registrations for applicants from another municipality or from an unorganized territory, the agent may charge those applicants \$1 in addition to the fees authorized by this subsection for each ~~license~~, registration or renewal.

C. A municipal agent authorized to issue temporary registration permits may charge an applicant a fee not to exceed \$1 over the required permit fee.

D. A municipal agent authorized to process permits and decals for vehicles with gross vehicle weight in excess of 6,000 may charge a fee not to exceed \$1 over the required fee for each permit or decal issued.

E. A municipal agent may charge a fee not to exceed \$1 over the required fee for the issuance of a duplicate registration, duplicate noncommercial driver's license or duplicate nondriver identification card.

~~F. A municipal agent may charge any applicant a fee not to exceed \$2 over and above the required operator's license fee for each renewal issued.~~

G. A municipal agent may charge an applicant a fee not to exceed \$1 over the required fee when an applicant is requesting issuance of a set of plates designated as specialty plates by the Secretary of State to replace previously issued plates.

H. The Secretary of State may authorize municipal agents to charge a fee not to exceed \$1 over the required fee for other transactions that the municipal agent carries out on behalf of the Secretary of State and that are not listed in this subsection.

The municipality may retain all service fees authorized in this subsection.

**Sec. 11. 29-A MRSA §256**, as enacted by PL 1995, c. 645, Pt. B, §6 and affected by §24, is amended to read:

**§256. Federal Driver's Privacy Protection Act of 1994**

The Secretary of State shall ~~comply with~~ adopt routine technical rules to implement the provisions of ~~Title 18~~, United States Code, Chapter 123 in disclosing records.

**Sec. 12. 29-A MRSA §525, sub-§6, ¶B**, as amended by PL 1995, c. 482, Pt. B, §13 and affected by §22, is further amended to read:

B. A cab card must be carried in the vehicle at all times. For the purposes of this paragraph, "cab card" means identification issued or approved by the Secretary of State that contains the legal name and address of the person who has established a

fuel use reporting account for the vehicle. With the approval of the Secretary of State, the cab card may be carried and presented in an electronic format.

**Sec. 13. 29-A MRSA §525, sub-§10**, as amended by PL 2009, c. 213, Pt. YYYY, §1, 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. The operation of a vehicle after suspension under this section is a traffic infraction. A suspension or revocation issued by another jurisdiction pursuant to the International Fuel Tax Agreement is a suspension in this State. 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 \$50 reinstatement fee pursuant to section 2486, subsection 1.

**Sec. 14. 29-A MRSA §525, sub-§15** is enacted to read:

**15. Pilot projects.** Notwithstanding any provision of this section, the Secretary of State, in consultation with the State Tax Assessor and the Commissioner of Public Safety, may participate in a pilot project relative to the distribution and display of International Fuel Tax Agreement credentials and may modify or waive requirements for the display of fuel decals for approved licensees.

**Sec. 15. 29-A MRSA §654, sub-§2**, as amended by PL 2011, c. 356, §16, is further amended to read:

**2. Purchased from the dealer.** If the application is for a vehicle purchased from a dealer, in addition to the requirement set forth in subsection 1, the application must be signed by the dealer and must contain the name and the address of any lienholder or assignee holding an interest created or reserved at the time of sale and the date of the lien. The dealer shall, within 30 days after the sale, deliver the application to the Secretary of State. The dealer must deliver a copy of the application to the lienholder.

~~Violation of this subsection is a traffic infraction for which a fine of not less than \$100 and not more than \$500 may be adjudged for each infraction.~~

A. Violation of this subsection is a traffic infraction when the application is delivered to the Secretary of State more than 30 days but less than 90 days after the date of sale.

B. Violation of this subsection is a Class E crime when the application has not been delivered to the

Secretary of State 90 days or more after the date of sale.

**Sec. 16. 29-A MRSA §754, sub-§1**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**1. Examination of identification numbers.** A State Police officer or a motor vehicle ~~investigator~~ detective may examine the vehicle identification numbers of a vehicle or vehicle part. Failure to allow the examination is a Class E crime.

**Sec. 17. 29-A MRSA §901, sub-§4**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**4. Surety bonds.** A dealer other than an equipment and light trailer dealer shall file with the Secretary of State and maintain a surety bond in the following amount, based on the prior year's sales:

- A. For 0 to 50 sales, ~~\$5,000~~ \$25,000;
- B. For 51 to 100 sales, ~~\$10,000~~ \$50,000;
- C. For 101 to 150 sales, ~~\$15,000~~ \$75,000; or
- D. For 151 ~~to 200 sales and over,~~ \$20,000; or \$100,000.
- ~~E. For 201 sales and over, \$25,000.~~

Initial licensees shall file a bond based on projected sales.

Persons beginning in the business as licensed vehicle dealers are subject to review after initial bonding depending on volume.

All licensees must be reviewed annually by the Secretary of State to determine compliance with the correct amount of the bonds.

Failure to maintain such a bond is grounds for immediate suspension of the dealer license.

Any persons with a claim against the bond required by this subsection must file the claim within 3 years from the date of sale.

**Sec. 18. 29-A MRSA §1002, sub-§8, ¶B**, as enacted by PL 2003, c. 652, Pt. B, §5 and affected by §8, is amended to read:

B. A dealer must obtain a written permit from the Secretary of State to operate a vehicle or combination of vehicles carrying a load. The permit must be issued in accordance with the following provisions.

- (1) The operation of the vehicle or combination of vehicles and load must be in conjunction with the sale or purchase of a motor vehicle, vehicle or equipment by the dealer.

(2) The load must consist of a motor vehicle, trailer or equipment that the dealer is licensed to sell.

(3) The load may not consist of more than one automobile, truck or truck tractor at any time.

(4) The initial fee and renewal fee for a permit issued under this paragraph are \$200 each.

(5) A permit expires ~~one year~~ 90 days from the date of issuance and may be renewed ~~annually~~.

(6) A permit must contain the name and address of the licensed dealer, an effective date, an expiration date and any other information required by the Secretary of State.

**Sec. 19. 29-A MRSA §1301, sub-§6-A**, as enacted by PL 2011, c. 149, §4, is amended to read:

**6-A. Confidentiality.** Except as ~~authorized under~~ required by 18 United States Code, Section 2721(b), the Secretary of State may not disseminate information collected under subsection 6 ~~to any entity without specific authorization from the Legislature.~~ For every willful violation of this subsection, a person commits a civil violation for which a fine of not more than \$500 may be adjudged.

**Sec. 20. 29-A MRSA §1303, sub-§2, ¶A**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

A. An acceptable certificate signed by a doctor, optometrist, registered nurse or other person approved by the Secretary of State, setting forth the person's visual acuity in each eye, ~~both eyes combined~~ and field of vision. The certificate must indicate that it is based on an examination completed within one year of the date of application; or

**Sec. 21. 29-A MRSA §1304, sub-§2, ¶C**, as amended by PL 2005, c. 577, §19, is further amended to read:

C. An applicant for a motorcycle permit must complete a motorcycle ~~driver rider~~ education program course as required by section 1352.

**Sec. 22. 29-A MRSA §1304, sub-§2, ¶E**, as amended by PL 2015, c. 473, §14, is further amended to read:

E. If the holder of a learner's permit fails to complete the driving test within 2 years from the date of issuance of a learner's permit the holder must retake the motorcycle ~~driver rider~~ education program course for a subsequent learner's permit to be issued.

**Sec. 23. 29-A MRSA §1352**, as amended by PL 2015, c. 473, §§15 and 16, is further amended to read:

**§1352. Motorcycle rider education**

**1. Motorcycle rider education required.** Notwithstanding any other provision of law, a motorcycle learner's permit, license or endorsement may not be issued to a person, unless that person presents a certificate of successful completion of a motorcycle driver rider education program course and examination approved by the Secretary of State.

**2. Education course.** The following provisions apply to motorcycle driver rider education programs courses.

A. A motorcycle driver rider education program course must consist of classroom and hands-on instruction directly related to the actual operation of motorcycles, emphasizing safety measures designed to ensure greater awareness of careful and skillful operation of motorcycles.

B. The program course may be offered by a public secondary school, a private secondary school approved for attendance purposes by the Commissioner of Education, a career and technical education center or career and technical education region or adult education program conducted under Title 20-A, chapter 316.

C. A motorcycle program course offered independently of an approved driver education course may not be offered for credit toward a high school diploma.

E. The Secretary of State must approve a motorcycle driver rider education program course.

**3. Instructors.** The following provisions apply to the certification licensing of instructors.

A. A person may not conduct a motorcycle driver rider education program course unless certified licensed by the Secretary of State as a qualified instructor.

B. The Secretary of State shall:

(1) Conduct, or authorize other qualified persons to conduct, certification instructor preparation courses; and

(2) Establish reasonable qualification standards and requirements for certification licensing. The requirements must include a provision to demonstrate proficiency in operating a motorcycle.

**4. Instructor availability.** When a certified licensed instructor is not available in a geographic area, the Secretary of State may assign a qualified instructor for the program course subject to the following provisions.

A. The requesting authority must ensure a minimum class size of 6 students.

B. The Secretary of State shall charge a program course fee comparable to other motorcycle driver rider education programs courses.

C. An instructor is not a "teacher" within the meaning of Title 5, section 17001, subsection 42 or Title 20-A.

**5. Completion certificates.** An instructor shall issue a completion certificate to a student who has successfully completed the course.

**6. Waiver of examination.** The Secretary of State may waive the required:

A. Written examination on receipt of a completion certificate; and

B. Road examination ~~for the holder of a valid motor vehicle operator's license~~ on receipt of a certificate demonstrating successful completion of a novice rider course approved by the Secretary of State. An endorsement issued pursuant to this paragraph prohibits the holder from carrying a passenger for a period of 60 days following the date of issuance of the endorsement.

**7. Suspension and revocation.** The Secretary of State may suspend, revoke or deny a certificate of completion or an instructor's certificate license for just cause in accordance with the Maine Administrative Procedure Act.

**Sec. 24. 29-A MRSA §1353**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**§1353. Motorcycle rider education fees**

The annual fee for an instructor certification license is \$100. The annual fee for inspection of a motorcycle education classroom is \$50. The annual fee for inspection of a motorcycle driving range is \$50.

**Sec. 25. 29-A MRSA §1401, sub-§2**, as amended by PL 2003, c. 434, §19 and affected by §37, is further amended to read:

**2. Photograph or digital image.** A license, except for a temporary license, must bear a full-face ~~color~~ photograph or digital image of the licensee. The following are exempt from the photographic or digital image requirement:

B. A person in active military service stationed outside the State; and

C. Another person approved by the Secretary of State.

**Sec. 26. 29-A MRSA §1401, sub-§6**, as repealed and replaced by PL 2011, c. 149, §5, is amended to read:

**6. Storage, recording, retention and distribution of digital images and digitized signatures.** Digital images and digitized signatures used to produce a license are confidential and may be distributed only for use by a law enforcement agency in carrying out its functions or as otherwise authorized ~~under the provisions of 18 United States Code, Section 2721 by rule adopted pursuant to section 256.~~ The Secretary of State may store, record and retain digital images and digitized signatures used only for the purpose of producing a license. A violation of this subsection is a violation of section 2103, subsection 4.

**Sec. 27. 29-A MRSA §1405, sub-§3,** as repealed and replaced by PL 2015, c. 206, §7, is amended to read:

**3. Fee.** The fee for a duplicate registration certificate is \$2. The fee for a duplicate learner's permit, duplicate license or duplicate nondriver identification card is \$5. The fee for the expedited issuance of a duplicate license or nondriver identification card is an additional \$10. The reason for the expedited issuance must be provided and the Secretary of State shall determine if expedited issuance is warranted.

**Sec. 28. 29-A MRSA §1406-A, sub-§2-A** is enacted to read:

**2-A. Expedited issuance of driver's license.** An applicant requesting the expedited issuance of a driver's license under this section must pay an additional fee of \$10 and provide the reason for the request. The Secretary of State shall determine if expedited issuance is warranted.

**Sec. 29. 29-A MRSA §1408, sub-§1,** as amended by PL 2013, c. 381, Pt. B, §26, is further amended to read:

**1. Immediate possession required.** A licensee, including a temporary licensee or holder of a learner's permit, must have the license in immediate possession when operating a motor vehicle. Possession may be in electronic form. For purposes of this section, "electronic form" means a digital representation of the information contained in a physical license or permit on a portable electronic device.

**Sec. 30. 29-A MRSA §1408, sub-§2,** as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**2. Display.** On demand of a law enforcement officer, the licensee must produce the license or an electronic version of the license for inspection. The use of a portable electronic device to provide license information does not constitute consent for a law enforcement officer to access other contents of the portable electronic device.

**Sec. 31. 29-A MRSA §1410, sub-§2-A** is enacted to read:

**2-A. Expedited issuance of nondriver identification cards.** An applicant requesting the expedited issuance of a nondriver identification card under this section must pay an additional fee of \$10 and provide the reason for the request. The Secretary of State shall determine if expedited issuance is warranted.

**Sec. 32. 29-A MRSA §2054, sub-§1, ¶B,** as amended by PL 2011, c. 657, Pt. W, §5 and repealed and replaced by c. 691, Pt. A, §30, is further amended to read:

B. "Authorized emergency vehicle" means any one of the following vehicles:

- (1) An ambulance;
- (2) A Baxter State Park Authority vehicle operated by a Baxter State Park ranger;
- (3) A Bureau of Marine Patrol vehicle operated by a coastal warden;
- (4) A Department of Agriculture, Conservation and Forestry vehicle operated by a forest ranger;
- (5) A Department of Agriculture, Conservation and Forestry vehicle used for forest fire control;
- (6) A Department of Corrections vehicle used for responding to the escape of or performing the high-security transfer of a prisoner, juvenile client or juvenile detainee;
- (7) A Department of Inland Fisheries and Wildlife vehicle operated by a warden;
- (8) A Department of Public Safety vehicle operated by a police officer appointed pursuant to Title 25, section 2908, a state fire investigator or a Maine Drug Enforcement Agency officer;
- (9) An emergency medical service vehicle;
- (10) A fire department vehicle;
- (11) A hazardous material response vehicle, including a vehicle designed to respond to a weapon of mass destruction;
- (12) A railroad police vehicle;
- (13) A sheriff's department vehicle;
- (14) A State Police or municipal police department vehicle;
- (15) A vehicle operated by a chief of police, a sheriff or a deputy sheriff when authorized by the sheriff;
- (16) A vehicle operated by a municipal fire inspector, a municipal fire chief, an assistant or deputy chief or a town forest fire warden;

(17) A vehicle operated by a qualified deputy sheriff or other qualified individual to perform court security-related functions and services as authorized by the State Court Administrator pursuant to Title 4, section 17, subsection 15;

(18) A Federal Government vehicle operated by a federal law enforcement officer;

(19) A vehicle operated by a municipal rescue chief, deputy chief or assistant chief;

(20) An Office of the Attorney General vehicle operated by a detective appointed pursuant to Title 5, section 202;

(21) A Department of the Secretary of State vehicle operated by a motor vehicle investigator ~~investigator~~ detective; and

(22) A University of Maine System vehicle operated by a University of Maine System police officer.

**Sec. 33. 29-A MRSA §2303, sub-§1, ¶C**, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is repealed.

**Sec. 34. 29-A MRSA §2390, sub-§1, ¶K** is enacted to read:

K. A tow-away transporter combination may be operated with an overall length not exceeding 82 feet on the interstate highway system and those qualifying federal aid primary system highways designated by the Secretary of the United States Department of Transportation pursuant to the federal Fixing America's Surface Transportation Act, Public Law 114-94, Section 5523 (2016).

**Sec. 35. 29-A MRSA §2451, sub-§3**, as repealed and replaced by PL 2015, c. 329, Pt. A, §17, is amended to read:

**3. Suspension period.** Unless a longer period of suspension is otherwise provided by law and imposed by the court, the Secretary of State shall suspend the license of a person convicted of OUI for the following minimum periods:

A. One hundred fifty days, if the person has one OUI conviction within a 10-year period;

B. Three years, if the person has 2 OUI offenses within a 10-year period;

C. Six years, if the person has 3 OUI offenses within a 10-year period; ~~or~~

E. Eight years, if the person has 4 or more OUI offenses within a 10-year period; ~~or~~

F. Ten years, if the person has a prior conviction for a Class B or Class C OUI offense pursuant to section 2411, subsection 1-A, paragraph D, subparagraph (2).

For the purposes of this subsection, a conviction or suspension has occurred within a 10-year period if the date of the new conduct is within 10 years of a date of suspension or imposition of sentence. The 10-year limitation does not apply to a prior conviction for a Class B or Class C OUI offense; the conviction may have occurred at any time.

**Sec. 36. 29-A MRSA §2472, sub-§2-B**, as amended by PL 2013, c. 496, §16, is further amended to read:

**2-B. Reexamination.** The holder of a juvenile provisional license convicted of an offense listed in section 2551-A, subsection 1, paragraph A, as limited by section 2551-A, subsection 3, must successfully complete an examination ~~pursuant to section 1301, subsection 4~~ as prescribed by the Secretary of State within 90 days after that license is restored. Failure to successfully complete the examination results in a subsequent suspension.

See title page for effective date.

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## CHAPTER 230

### H.P. 321 - L.D. 454

#### An Act To Ensure Safe Drinking Water for Families in Maine

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

**Sec. 1. 22 MRSA §2601-A**, as enacted by PL 1999, c. 761, §1, is amended to read:

#### **§2601-A. Scope**

This chapter establishes a system designed to help ensure public health; to allow the State, municipalities and public water systems to identify significant public water supplies and strive for a higher degree of protection around source water areas or areas that are used as public drinking water supplies; ~~and~~ to allow the State, municipalities and water systems to pursue watershed or wellhead protection activities around significant public water supplies; ~~and to improve testing for and treatment of contaminants or properties in residential private drinking water wells.~~

**Sec. 2. 22 MRSA §2602-A, sub-§1**, as enacted by PL 1983, c. 837, §1, is amended to read:

**1. Purpose.** The Legislature finds that there is a growing threat to the ~~state's~~ State's drinking water from a variety of contaminants ~~or properties~~ and that testing of private residential water supplies ~~may be~~ is necessary ~~under certain circumstances~~ to protect the public health. The Legislature recognizes that certain testing may be prohibitively expensive and accord-

ingly provides for state-funded testing as set forth in this section.

**Sec. 3. 22 MRSA c. 601, sub-c. 8** is enacted to read:

### **SUBCHAPTER 8**

#### **SAFE DRINKING WATER FROM RESIDENTIAL PRIVATE WELLS**

##### **§2660-S. Definitions**

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

**1. Private drinking water well.** "Private drinking water well" has the same meaning as in Title 38, section 1392, subsection 8.

##### **§2660-T. Uniform testing recommendation; specified contaminants and properties**

The department shall develop a uniform recommendation for the testing for specific contaminants or properties for which residential private drinking water wells should periodically be tested. The uniform recommendation must specify contaminants or properties that should be included in the periodic testing, including but not limited to arsenic, bacteria, nitrates, nitrites, chloride, hardness, copper, iron, pH, sodium, lead, uranium, manganese, fluoride and radon, unless the department determines that testing for a contaminant or property listed in this section is not necessary based on previous test results or credible scientific evidence. The department or an entity that provides testing of or provides education or advertisements related to testing of a residential private drinking water well shall include the uniform recommendation developed by the department pursuant to this section in its written materials related to testing of a residential private drinking water well.

##### **§2660-U. Fees**

The Health and Environmental Testing Laboratory established in section 565 shall collect a fee not to exceed \$10 from a person or entity ordering a water test for a water sample from a residential private drinking water well. The fees collected must be credited to the Private Well Safe Drinking Water Fund established in section 2660-W and used for the purpose of increasing testing of residential private drinking water wells. The department shall establish by rule a percentage of the fee to be directed toward administrative costs for collecting data from private laboratories. If more than one test of a water sample from the same residential private drinking water well is conducted, the department may waive payment of a fee established under this section for a one-year period. A fee collected under this section is in addition to any fee charged by the department pursuant to section 2602-A, subsection 2.

##### **§2660-V. Educational outreach**

Within available resources, the department shall revise and update its education and outreach materials as needed and conduct educational outreach regarding residential private drinking water wells, including the need to conduct testing for contaminants or properties specified pursuant to section 2660-T through a laboratory certified pursuant to section 567, the potential health effects of those contaminants or properties and options for water treatment to reduce the level of those contaminants or properties.

##### **§2660-W. Private Well Safe Drinking Water Fund**

**1. Fund established.** The Private Well Safe Drinking Water Fund, referred to in this section as "the fund," is established within the department as a nonlapsing fund for the purposes specified in this section.

**2. Sources of fund.** The fund is funded from all fees collected under section 2660-U and from other funds accepted by the commissioner or allocated or appropriated by the Legislature. The commissioner may accept donations or grants to the fund from any source.

**3. Purposes.** Expenditures from the fund may be made only for the following purposes:

A. To improve the rate of testing of residential private drinking water wells for contaminants or properties specified pursuant to section 2660-T;

B. For educational outreach programs consistent with section 2660-V; and

C. To defray the department's costs in administering this subchapter and in waiving fees under section 2602-A, subsection 2.

**4. Expenditures.** The division of environmental health within the department shall expend funds with the review and advice of an advisory committee established by the department. The advisory committee must include representatives from at least 2 laboratories certified pursuant to section 567. Preference in expending funds must be given to community-based programs that reach high-risk or underserved populations. The department may contract for professional services to carry out the purposes of this section.

##### **§2660-X. Rules**

The department shall adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A necessary to administer and enforce this subchapter. The rules may address, but are not limited to, testing recommendations for contaminants or properties specified pursuant to section 2660-T, water sample test reporting and fee schedules.

**Sec. 4. 32 MRSA §4700-H, sub-§8** is enacted to read:

**8. Educational materials.** The commission shall adopt rules to require the distribution of educational materials to a landowner when a residential private drinking water well is drilled or deepened to inform the landowner about the importance of testing for arsenic and other contaminants or properties specified in Title 22, section 2660-T. Rules adopted by the commission pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 5. Water testing guide update.** The Health and Environmental Testing Laboratory within the Department of Health and Human Services shall update its water testing guide and related information on its publicly accessible website for consistency with this Act. For testing of water samples from residential private drinking water wells as defined in the Maine Revised Statutes, Title 22, section 2660-S, subsection 1, the update must ensure a clear, simple-to-understand and prominent recommendation for testing consistent with Title 22, section 2660-T. The laboratory shall consult with relevant personnel within the Department of Health and Human Services, Maine Center for Disease Control and Prevention's division of environmental health prior to the update required by this section to ensure that the revised information constitutes an effective environmental public health communication.

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

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

**Private Well Safe Drinking Water Fund N207**

Initiative: Provides allocations for additional lab supplies for water tests.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$12,205	\$16,273
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,205	\$16,273

**Private Well Safe Drinking Water Fund N207**

Initiative: Provides allocations to revise and update education and outreach materials and to conduct educational outreach on the importance of testing for arsenic and other contaminants.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$27,425	\$36,567

OTHER SPECIAL REVENUE FUNDS TOTAL	\$27,425	\$36,567
<b>HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)</b>		
<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$39,630</b>	<b>\$52,840</b>
	<hr/>	<hr/>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$39,630</b>	<b>\$52,840</b>

See title page for effective date.

**CHAPTER 231**

**H.P. 1052 - L.D. 1532**

**An Act To Modernize the Laws  
Governing Maine Harness  
Racing**

**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 provisions of this bill affecting the number of harness horse racing race dates must take effect prior to the commencement of this year's harness horse racing 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. 8 MRSA §262,** as amended by PL 1991, c. 579, §5, is further amended to read:

**§262. Organization**

Three of the members of the commission constitute a quorum to do business. The commission shall meet ~~at least monthly~~ as necessary to accomplish the purposes of this chapter and shall keep a record of all proceedings of the commission and preserve all books, maps, documents, papers and records entrusted to its care.

**Sec. 2. 8 MRSA §263-A, sub-§5** is enacted to read:

**5. Establishing minimum number of race dates for commercial tracks.** The commission shall establish a minimum number of race dates for commercial tracks.

**Sec. 3. 8 MRSA §263-B, sub-§4** is enacted to read:

**4. Oversight of disbursements.** The department may require licensees to provide financial records and reports related to sections 281, 298, 299 and 300. The department may audit records and reports provided under this subsection.

**Sec. 4. 8 MRSA §264,** as amended by PL 2003, c. 401, §5, is further amended to read:

#### **§264. Employees**

The department may employ such personnel as it considers necessary to provide adequate oversight and enforcement and to carry out the purposes of this chapter, subject to the Civil Service Law. The department may fix the compensation of the employees on a per diem basis, subject to the Civil Service Law.

Notwithstanding the provisions of this section, all officials whose presence is regularly required at a race meet must be licensed by the commission. The commission shall ~~appoint the presiding judge and associate judges on an annual basis with the consent of the licensee~~ adopt rules providing for standards for the licensure and conduct of presiding and associate judges. The licensee shall employ judges appointed in accordance with this section on an annual basis. The commission shall provide the list of approved judges in accordance with section 279-C. For purposes of the Maine Tort Claims Act, the presiding judge and associate judges ~~appointed~~ licensed pursuant to this section are deemed to be employees of the State, as those terms are defined in Title 14, section 8102, subsections 1 and 4. The licensee may terminate the employment of a presiding or associate judge hired under this section only with the consent of the commission.

In determining whether a presiding or associate judge may be terminated by a licensee, the commission shall consider improper conduct on behalf of the employee, failure to enforce the rules prescribed by the commission, malfeasance, violation of commission rules or behavior detrimental to the conduct of racing.

When a presiding judge or an associate judge is required to attend an appeal hearing under section 263-A before the commission, the judge is entitled to mileage reimbursement consistent with Title 5, section 8 and a per diem of \$100 per day. To receive compensation for appearance at an appeal hearing, a presiding judge or associate judge must submit an expense voucher consistent with Title 5, section 12002-C.

**Sec. 5. 8 MRSA §267,** as amended by PL 2007, c. 539, Pt. G, §§4 and 5 and affected by §15, is further amended to read:

#### **§267. Budget; report**

**1. Budget.** The commission shall develop or revise a recommended operating budget covering All Other account expenses for each fiscal year of the biennium in accordance with this subsection. Funding for the commission is provided entirely from the operating account established in section 267-A.

~~A. On or before August 1st of even-numbered years the commission shall hold a hearing to make findings regarding and develop its recommended operating budget covering All Other account expenses for the biennium. The commission shall provide notice of the hearing in accordance with Title 5, section 9052, and notice must be provided to persons who receive distributions from the funds established by sections 281, 298, 299 and 300 and Title 7, section 91. Based on the information obtained during the hearing, the commission shall submit to the commissioner as provided in Title 5, section 1665 a budget consistent with this subsection that is sufficient to carry out the provisions of this chapter, and the commissioner shall transmit this budget to the Bureau of the Budget without any revision, alteration or change. The commission shall submit a copy of this budget with any desired comments to the joint standing committee of the Legislature having jurisdiction over agricultural matters, to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and to the Executive Director of the Legislative Council.~~

~~B. On or before August 1st of odd-numbered years the commission shall hold a hearing to make findings regarding and develop any revisions to its budget for the second fiscal year of the biennium. The commission shall provide notice of the hearing in accordance with Title 5, section 9052, and notice must be provided to persons who receive distributions from the funds established by sections 281, 298, 299 and 300 and Title 7, section 91. After the hearing, the commission may submit to the commissioner any recommended revisions to its budget, and the commissioner shall transmit these changes to the Bureau of the Budget without any revision, alteration or change. The commission shall submit a copy of this revised budget with any desired comments to the joint standing committee of the Legislature having jurisdiction over agricultural matters, to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and to the Executive Director of the Legislative Council.~~

Any budgetary increases proposed by the commission in developing its recommended budget ~~for fiscal year 2010 and thereafter~~ must be reasonable and related to expansion in the number of racing days, the numbers of races held, the need to maintain competitive salaries, expansion of programs and activities as recommended by the commission or inflation.

**2. Report.** ~~By May 1st Beginning April 1, 2018, and annually thereafter,~~ the commission shall ~~make submit~~ a report to the commissioner ~~with copies to the Governor, and the joint standing committee committees of the Legislature having jurisdiction over slot machines, harness racing, agricultural matters and the Executive Director of the Legislative Council~~ fairs and appropriations and financial affairs. This report must include an account of the commission's operations and actions, a report of its financial position, including receipts and disbursements, an account of the practical effects of application of this chapter and any recommended legislation. The operations report must include the number and types of violations of racing laws and rules, the disposition of those violations and the amount of time required for their disposition, including a history of any appeals. The report must include the date and amount of each administrative assessment withdrawn in accordance with section 267-A from each of the assessed funds under section 267-A, subsection 4.

**Sec. 6. 8 MRSA §268, first ¶,** as amended by PL 1999, c. 394, §1, is further amended to read:

The commission shall adopt rules for holding, conducting and operating all harness horse races or meets for public exhibition held in this State; for the establishment of a minimum number of race dates at commercial tracks; and for the operation of racetracks on which any such race or meet is held; ~~notwithstanding any other provision of law, harness horse races or meets licensed to be held on Sunday may commence at, but not before, noon.~~

**Sec. 7. 8 MRSA §268, 2nd ¶,** as amended by PL 1993, c. 388, §3, is further amended to read:

The commission may adopt rules for licensing and operating off-track betting facilities. The commission shall ~~mail notice of submit~~ proposed rules or proposed amendments to rules related to off-track betting to each member of the joint standing committee of the Legislature having jurisdiction over legal affairs ~~matters~~ and to each member of the joint standing committee of the Legislature having jurisdiction over agricultural matters not less than 20 days before a public hearing on the proposed rule or amendment and not less than 20 days before adoption of such a rule or amendment without a public hearing. The notice must include a copy of the proposed rule or amendment.

**Sec. 8. 8 MRSA §271, sub-§1,** as amended by PL 2003, c. 687, Pt. B, §3 and affected by §11, is further amended to read:

**1. Licensing.** If the commission is satisfied that all of this chapter and rules prescribed by the commission have been substantially complied with during the past year and will be fully complied with during the coming year by the person, association or corporation applying for a license; that the applicant, its members, directors, officers, shareholders, employees, creditors and associates are of good moral character; that the applicant is financially responsible; and that the award of racing dates to the applicant is appropriate under the criteria contained in subsection 2, it may issue a license for the holding of harness horse races or meets for public exhibition with pari-mutuel pools, which must expire on December 31st. The fee for a license is \$100 or \$10 per week, whichever is higher. The commission shall ~~provide a booklet containing~~ make available harness racing laws and rules and relevant portions of the Maine Administrative Procedure Act to every initial licensee ~~and a fee not to exceed \$10 must be included in the license fee to cover the cost of this publication. The commission shall provide necessary revisions of this booklet to those persons renewing licenses at the time of renewal and shall include the cost of the revisions, not to exceed \$10, in the renewal fee.~~ The license must set forth the name of the licensee, the place where the races or race meets are to be held and the specific race dates and time of day or night during which racing may be conducted by the licensee. If the commission determines that the location where a commercial track is licensed to conduct races is unavailable, it may permit a licensee to transfer its license to another location. The substitute location and the races conducted there by the licensee must be conducted in accordance with this chapter. A license issued pursuant to this subsection is not transferable or assignable. The District Court Judge, as designated in Title 4, chapter 5, may revoke any license issued at any time for violation of the commission's rules or licensing provisions upon notice and hearing. The license is automatically revoked, subject to Title 5, chapter 375, upon a change in ownership, legal or equitable, of 50% or more of the voting stock of the licensee; the licensee may not hold a harness horse race or meet for public exhibition without a new license.

**Sec. 9. 8 MRSA §271, sub-§2,** as amended by PL 2007, c. 539, Pt. G, §7 and affected by §15 and amended by PL 2011, c. 657, Pt. W, §6, is further amended to read:

**2. Minimum number of race days; criteria for date awards.** The commission shall determine the number of race days that should be awarded to licensed applicants pursuant to this section based on the criteria set forth herein. The commission may award fewer than the minimum race days set forth in section

275-A, subsection 1 to commercial tracks with the express written approval of the track, and with the express written approval of an association of horsemen as defined in section 272-B, if credible evidence is presented that demonstrates that fewer race days is in the best interest of Maine's harness racing industry. The award of fewer race days than set forth in section 275-A, subsection 1 may not affect the status of those tracks as commercial tracks pursuant to section 299. In assigning race dates to licensees, the commission shall consider the following factors:

- A. The revenues to be generated, consistent with the profitability and financial health of the licensee, for the operating account pursuant to section 287; the purse supplements pursuant to section 286; the Sire Stakes Fund pursuant to section 281; and the Stipend Fund pursuant to Title 7, section 86;
- B. The quality of race programming and facilities offered and to be offered by the licensee and the suitability of the applicant's racing facilities for operation at the season for which the race dates are requested;
- C. The necessity of having and maintaining proper physical facilities for racing meetings; and consequently, to ~~insure~~ ensure the continuance of the facilities, the quality of the licensee's maintenance of its track and plant, the adequacy of its provisions for rehabilitation and capital improvements and the necessity of fair treatment of the economic interests and investments of those who, in good faith, have provided and maintained racing facilities;
- D. The desirability of reasonable consistency in the pattern of race date assignments from year to year;
- E. With respect to agricultural societies seeking licenses to conduct harness racing meets at the time of their annual fairs, the scheduling of agricultural fairs determined by the Commissioner of Agriculture, Conservation and Forestry pursuant to Title 7, sections 83 and 84;
- F. The preservation of a diversity of harness racing tracks in the State;
- G. The quality of the licensee's observance and enforcement of this chapter and the rules ~~promulgated~~ adopted pursuant to this chapter during the past year;
- H. The extent to which the licensee fully utilized race dates granted to it for the past year;
- I. The personnel and resources available to the commission for the enforcement of this chapter and the rules ~~promulgated~~ adopted pursuant to this chapter;

J. The likely availability of race-worthy horses throughout the year with a goal of promoting full cards and avoiding 5-horse fields; and

K. Such other criteria consistent with the betterment of harness racing and the public health, safety and welfare as the commission may establish by rule.

If the executive director or the commission determines that any of the criteria listed in this subsection have not been met by the licensee, the executive director shall submit a notice of the deficiency in meeting any criteria to the licensee, regardless of whether the deficiency resulted in the denial of the application for or the refusal to award race dates. The director shall also submit a copy of the notice in the same manner and at the same time to the joint standing committee of the Legislature having jurisdiction over agriculture matters.

**Sec. 10. 8 MRSA §271, sub-§5**, as amended by PL 1995, c. 408, §3, is further amended to read:

**5. Minimum number of race dates.** The commission may assign a commercial licensee a minimum number of race dates for a period of up to 3 years. The specific calendar dates for the minimum number of race dates and any additional race dates are determined each year in accordance with subsection 1. For the purposes of this subsection, "commercial licensee" means a licensee with an annual total of ~~more than~~ at least 25 race dates with pari-mutuel wagering in the previous calendar year.

**Sec. 11. 8 MRSA §271, sub-§7**, as reallocated by RR 1997, c. 1, §5, is amended to read:

**7. Hearing on horse supply.** Prior to August ~~31st~~ of each year, the commission shall conduct a hearing to determine whether the horse supply in the State has been adequate for the number of dashes conducted on assigned race dates. If the commission concludes that the horse supply has been inadequate, the commission shall limit to the extent necessary the number of dashes that a licensee may race on any date after August 1st of that year that has been assigned to more than one track. The commission may not restrict the number of dashes to fewer than ~~40~~ 8.

**Sec. 12. 8 MRSA §271, sub-§9**, as reallocated by RR 1997, c. 1, §7, is repealed.

**Sec. 13. 8 MRSA §272-C, sub-§§1 and 2**, as enacted by PL 2013, c. 490, §2, are amended to read:

**1. Establishment; deposits; rules.** A licensee conducting live racing in the State shall establish a trust account for the benefit of the persons who race horses at that licensee's facility. Except as provided by subsection 3, funds distributed to or retained by the licensee pursuant to sections 287, 289, 290, 292 and 298 and Title 7, section 91, less any administrative assessments pursuant to section 267-A, that must be

used to pay or supplement harness racing purses must be deposited in that account and used exclusively to pay harness racing purses. The funds in a trust account established in accordance with this subsection are not considered to be property of the licensee, may not be pledged as security for the debts of the licensee and are not subject to attachment or execution by creditors of the licensee. The commission may adopt rules governing the handling of trust accounts, providing for the reallocation of trust account funds to other licensed commercial tracks in the event that a track ceases operation or cancels a significant number of race days, as determined by the commission, and governing the handling of harness racing purses at any commercial track that does not have a contract with a statewide horsemen association. Rules adopted pursuant to this subsection are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A.

## 2. Payment if licensee fails to conduct racing.

If a licensee ceases to operate and therefore fails to conduct ~~a race meet~~ racing during any of the assigned race dates in a calendar year, all funds not committed to pay purses held in the trust account established under this section by that licensee must be returned within 15 days to the commission, which shall return to the licensee any amount that represented a reimbursement that equaled an overpayment of harness racing purses. Any remaining balance of the trust account must be redistributed by the commission to the trust accounts of all racetracks that continue to conduct live racing in the State, with each track receiving that portion of money determined by multiplying the amount of money available for redistribution by a fraction, the numerator of which is the number of race dates at that racing facility during the prior calendar year and the denominator of which is the total number of race dates throughout the State during that year, except that those funds received by a licensee pursuant to section 298 must be returned to the fund to supplement harness racing purses established in section 298 and must be distributed according to that section.

**Sec. 14. 8 MRSA §275-A, sub-§1,** as amended by PL 2013, c. 490, §3, is further amended to read:

**1. Commercial track.** "Commercial track" means ~~a~~ any harness horse racing track that is a for-profit business and is licensed under this chapter to conduct harness horse racing with pari-mutuel wagering that: is not associated with an agricultural fair as defined in Title 7, section 81 and that:

A. If the population of the region is 300,000 or more, based on the 1990 U.S. Census, conducted racing on more than ~~400~~ 69 days in each of the previous 2 calendar years, except that if a racetrack that qualifies as a commercial track under this paragraph ceases operation, a separate racetrack operated by the owner or operator of the

racetrack that ceased operation qualifies as a commercial track, and for all purposes is considered the same commercial track as the track that ceased operation, if the population of the region of that separate racetrack is 300,000 or more, based on the 1990 U.S. Census, and the sum of the number of days on which racing was conducted at the track that ceased operation and the number of days on which racing was conducted at the separate racetrack equals at least ~~400~~ 70 days in each of the 2 preceding calendar years;

B. If the population of the region is less than 300,000, based on the 1990 U.S. Census, conducted racing on more than ~~25~~ 34 days in each of the previous 2 calendar years, except that if a racetrack that qualifies as a commercial track under this paragraph ceases operation, a separate racetrack operated by the owner or operator of the racetrack that ceased operation qualifies as a commercial track, and for all purposes is considered the same commercial track as the track that ceased operation, if the population of the region of that separate racetrack is less than 300,000, based on the 1990 U.S. Census, and the sum of the number of days on which racing was conducted at the track that ceased operation and the number of days on which racing was conducted at the separate racetrack equals at least ~~26~~ 35 days in each of the 2 preceding calendar years;

C. Began operation after January 1, 2014 in a region with a population of 300,000 or more, based on the 1990 U.S. Census, to replace a commercial track as defined by paragraph A that ceased operation after January 1, 2014 and for which no separate racetrack has been opened by the owner or operator of that commercial track that ceased operation. For purposes of this paragraph, a racetrack is not required to have conducted racing during the 2 preceding calendar years but is required to conduct racing on at least ~~400~~ 70 days during each calendar year after the track is initially licensed as a commercial track. If a commercial track under this paragraph has not been granted ~~400~~ 70 race days by the commission for the initial calendar year of operation, race days conducted during that year by the commercial track that ceased operation after January 1, 2014 are credited to the replacement commercial track; or

D. Began operation after January 1, 2014 in a region with a population of less than 300,000, based on the 1990 U.S. Census, to replace a commercial track as defined by paragraph B that ceased operation after January 1, 2014 and for which no separate racetrack has been opened by the owner or operator of that commercial track that ceased operation. For purposes of this paragraph, a racetrack is not required to have conducted racing during the 2 preceding calendar years but is required

to conduct racing on at least ~~25~~ 35 days during each calendar year after the track is initially licensed as a commercial track. If a commercial track under this paragraph has not been granted ~~25~~ 35 race days by the commission for the initial calendar year of operation, race days conducted during that year by the commercial track that ceased operation after January 1, 2014 are credited to the replacement commercial track.

For the purposes of this subsection, "region" is determined by measuring a distance of 50 miles from the center of the racing track along the most commonly used roadway, as determined by the Department of Transportation, drawing a circle around the center of the racing track using that 50-mile measurement and excluding those municipalities or unorganized territories that do not have boundaries contained entirely by that circle.

For the purpose of determining the number of days a race track conducted racing under this subsection, if a race day is canceled due to a natural or other disaster, or due to a horse supply shortage as verified by the state steward, the track is considered to have conducted racing on that day.

**Sec. 15. 8 MRSA §275-A, sub-§9-A**, as enacted by PL 1995, c. 408, §5, is amended to read:

**9-A. Race date.** "Race date" means a scheduled date awarded by the commission pursuant to section 271 for which there is a racing program of not less than 8 separate live races. In the event of cancellation of a portion of the scheduled racing program due to weather, power failure or a decision to cancel by the presiding judge on duty, a minimum of 5 live races actually raced constitutes a race date. If a licensee schedules separate programs for both an afternoon and an evening on the same calendar day and each program qualifies as a race date under this subsection, that licensee is granted one race date for each program.

**Sec. 16. 8 MRSA §275-A, sub-§9-B** is enacted to read:

**9-B. Race day.** "Race day" means a scheduled day of racing awarded by the commission pursuant to section 271 on which racing occurred.

**Sec. 17. 8 MRSA §275-A, sub-§10-A**, as enacted by PL 1995, c. 408, §6, is amended to read:

**10-A. Regular meeting.** "Regular meeting" means the period of time from the first date a licensee is authorized to conduct live racing through the last date a licensee is authorized to conduct live racing, excluding periods of time longer than 14 days when the licensee is not authorized to conduct live racing. ~~Notwithstanding this subsection, the regular meeting of a licensee that is licensed to conduct live racing in at least 6 separate calendar months includes the entire calendar year.~~

**Sec. 18. 8 MRSA §275-N**, as amended by PL 2015, c. 200, §2, is further amended to read:

**§275-N. Limitations on off-track betting facilities**

The commission may allow interstate simulcasting and license any off-track betting facility regardless of the number of race dates that were conducted in the State for any calendar year. Interstate simulcasting always must be allowed at any commercial track ~~that conducted at least 136 race dates during the immediately preceding 2 calendar years or at an existing commercial track as defined in section 275-A, subsection 1, paragraph B at which at least 35 race dates were conducted during the preceding 2 years if the interstate simulcasting at the commercial track is conducted during the regular meeting.~~ For the purposes of this section, any race date that the commission determines was canceled due to a natural or other disaster must be counted as a race date. ~~For the purposes of this section and for the purpose of meeting the requirements of section 275-A, subsection 1, any race date that is canceled at a commercial race track due to the inability to meet the requirements of section 275-A, subsection 9-A because of a horse shortage, as verified by the state steward, is counted as a race date.~~

**Sec. 19. 8 MRSA §276-B**, as enacted by PL 2013, c. 490, §4, is amended to read:

**§276-B. Commercial track ceases operation; entitled to funds**

Other than funds used exclusively to pay harness racing purses, a commercial track that ceases operation is entitled to distribution of all funds maintained by the State under this chapter based on the number of race days conducted by that commercial track up to and including the final racing date conducted by that commercial track. Payments due from a commercial track that ceases operation to any in-state commercial track, agricultural fair or off-track wagering licensee must be made from the funds under this section prior to distribution to the commercial track that has ceased operation.

**Sec. 20. 8 MRSA §277**, as amended by PL 2013, c. 16, §10, is further amended to read:

**§277. Records**

Every person, association or corporation conducting a race or race meet under the provisions of this chapter shall so keep its books and records as to clearly show all financial transactions relating to racing related to sections 281, 298, 299 and 300, which books and records ~~shall be~~ are subject to audit at any time by the department or the Office of the State Auditor.

**Sec. 21. 8 MRSA §279-E**, as enacted by PL 2007, c. 611, §8, is amended to read:

**§279-E. Trainers; duty to submit a horse for testing for use of prohibited substances**

Upon request of the commission, a person who signs an application for and receives a trainer's license in accordance with this chapter and rules adopted under section 279-A shall submit a horse trained by that licensee, qualified to race and identified by the commission for the purpose of obtaining a blood biological sample to test for the use of prohibited substances.

**1. Obtaining a sample.** Pursuant to this section, the commission may require a licensed trainer to:

A. Transport the horse to a designated site where a veterinarian employed by the commission or the department may ~~draw a blood~~ obtain a biological sample; or

B. Allow a veterinarian employed by the commission or the department, or a veterinarian designated by the commission and accompanied by a state steward designated department personnel, access to the premises where the horse is kept for the purpose of obtaining a blood biological sample.

**2. Rulemaking.** The commission shall adopt rules establishing a procedure for obtaining blood biological samples and ensuring a secure chain of custody for transporting the sample to a laboratory for testing. The rules must consider travel distances and costs associated with obtaining a sample when designating a testing site and may assess a fee to defray travel costs for the veterinarian and ~~the state steward~~ designated department personnel. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**3. Refusal.** Refusal to comply with the commission's directives for obtaining a sample under this section is a basis for suspension of a trainer's license.

**Sec. 22. 8 MRSA §283**, as amended by PL 2013, c. 155, §2, is further amended to read:

**§283. Reciprocal disciplinary action**

The department shall obtain current listings from other jurisdictions of persons in harness racing occupations regulated by the commission who have been refused a license or who have had their license revoked or suspended. The commission shall refuse to license or shall suspend the license of any person ~~who has been refused a license or who has had that person's~~ whose license is currently refused, revoked or suspended in another jurisdiction until notification from the jurisdiction that refused to license or suspended or revoked the license of the person that the person is again eligible for licensing in that jurisdiction.

**Sec. 23. 8 MRSA §299, sub-§2**, as enacted by PL 2003, c. 687, Pt. A, §4 and affected by Pt. B, §11, is amended to read:

**2. Distribution.** On ~~May 30th, September 30th~~ July 30th and January 30th, all amounts credited to the fund established by this section as of the last day of the preceding month and not distributed before that day must be distributed to each commercial track licensed under section 271 within 30 days, with each track receiving that amount of the money available for distribution determined by multiplying that amount times a fraction, the numerator of which is the total number of ~~live race days conducted by~~ race day credits awarded to the commercial track during the preceding time period and the denominator of which is the total number of ~~race days conducted by~~ day credits awarded for all commercial tracks licensed under section 271 during that time period. The payment in January must be adjusted so that for the prior ~~3~~ 2 time periods each commercial track receives that fraction of the total money distributed over the full year from the fund established by this section, the amount determined by multiplying the total amount of money times a fraction, the numerator of which is the number of ~~live race days conducted~~ day credits actually earned by the commercial track during the calendar year and the denominator of which is the total number of ~~race days conducted~~ day credits actually earned by all commercial tracks licensed under section 271 during that calendar year.

**Sec. 24. 8 MRSA §299, sub-§3**, as enacted by PL 2015, c. 493, §3, is amended to read:

**3. Track closure distribution.** Notwithstanding subsection 2, if a commercial track ceases operation and is not immediately replaced by a commercial track in the same region that is owned by the same owner as the commercial track that ceased operation, all amounts credited to the fund established by this section must be disbursed to the remaining commercial tracks and to agricultural fair licensees that conduct live racing based on days raced during extended meets up to a maximum of 100 days raced during extended meets per year and until such time as a new commercial track begins operation. If a commercial track ceases operation, the commission may vary from the distribution schedule set forth in subsection 2 to facilitate racing at other licensed tracks in the State. The payment to a commercial track or agricultural fair is determined ~~by dividing the amount in the fund by 150 and multiplying the result by the number of days raced by that commercial track or agricultural fair pursuant to subsections 2 and 5, with agricultural fair licensees conducting live racing during extended meets receiving race day credits as determined in subsection 5 in a similar manner as commercial race tracks receive race day credits.~~ by dividing the amount in the fund by 150 and multiplying the result by the number of days raced by that commercial track or agricultural fair pursuant to subsections 2 and 5, with agricultural fair licensees conducting live racing during extended meets receiving race day credits as determined in subsection 5 in a similar manner as commercial race tracks receive race day credits. An agricultural fair must receive its payment ~~on no later than~~ no later than May 30th before extended meets are held based on assigned dates for extended meets for that agricultural fair. An adjustment must be made no later than the January 30th following the extended meets that results in payment to an agricultural fair

based on days actually raced during extended meets by that agricultural fair. Any amount remaining in the fund on January 30th after payments are made to commercial tracks and agricultural fairs must be transferred to the operating account of the commission under section 267-A.

For the purposes of this subsection, "region" is determined by measuring a distance of 50 miles from the center of the racing track along the most commonly used roadway, as determined by the Department of Transportation, drawing a circle around the center of the racing track using that 50-mile measurement and excluding those municipalities or unorganized territories that do not have boundaries contained entirely by that circle.

**Sec. 25. 8 MRSA §299, sub-§5** is enacted to read:

**5. Race day credits.** For the purposes of this section, race day credits are awarded as follows:

A. One race day credit is earned for each day actually raced;

B. One additional race day credit is earned for each day raced when no other association licensed under section 271 is scheduled to race; and

C. One additional race day credit is earned for each day raced during the months of March and December. A maximum of 12 race day credits may be awarded per commercial track for the month of March and a maximum of 12 race day credits may be awarded per commercial track for the month of December.

**Sec. 26. 8 MRSA §1037, first ¶**, as enacted by PL 2011, c. 358, §6 and amended by c. 657, Pt. W, §6, is further amended to read:

Beginning February 15, 2012 April 1, 2018 and annually thereafter, the executive director of the State Harness Racing Commission, in consultation with the Commissioner of Agriculture, Conservation and Forestry, annually shall submit a report to the joint standing committees of the Legislature having jurisdiction over slot machines, harness racing, agricultural fairs and appropriations and financial affairs regarding the use of slot machine revenue deposited in funds under section 1036, subsection 2, paragraphs B, C, D, H and I. The executive director and the commissioner shall obtain the information as described in this section. The report required by this section must be completed using budgeted resources. The executive director may not distribute funds listed under section 1036, subsection 2, as applicable, to harness racing tracks, off-track betting facilities, agricultural fairs or the Sire Stakes Fund under section 281 until the information required to submit the report required by this section is provided. The report required by this section may be combined with the report required under section 267.

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

Effective June 19, 2017.

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## CHAPTER 232

### S.P. 147 - L.D. 445

#### An Act To Encourage Maine Consumers To Comparison-shop for Certain Health Care Procedures and To Lower Health Care Costs

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

**Sec. 1. 22 MRSA §1718-B, sub-§2, ¶D** is enacted to read:

D. Beginning January 1, 2018, at the time a referral or recommendation is made for a comparable health care service as defined in Title 24-A, section 4318-A, subsection 1, paragraph A during an in-person visit, the health care entity making that referral or recommendation shall notify a patient who has private health insurance coverage of the patient's right to obtain services from a different provider. A health care entity shall comply with this paragraph by providing a written notice at the time the health care entity recommends or refers a patient for a health care service or procedure that may qualify as a comparable health care service. A written notice provided under this paragraph must include a notification that, prior to obtaining the recommended service, the patient may review the health care price transparency tool provided by the patient's carrier or contact the patient's carrier directly via a toll-free telephone number so that the patient may consider whether the recommended provider of the comparable health care service represents the best value for the patient. A written notice provided under this paragraph must also include a description of the service or the applicable standard medical codes or current procedural terminology codes used by the American Medical Association sufficient to allow the carrier to assist the patient in comparing prices for the comparable health care service.

**Sec. 2. 22 MRSA §8712, sub-§2**, as amended by PL 2011, c. 525, §1, is further amended to read:

**2. Payments.** The organization shall create a publicly accessible interactive website that presents reports related to payments for services rendered by health care facilities and practitioners to residents of the State. The services presented must include, but not be limited to, imaging, preventative health, radiology

and, surgical services, comparable health care services as defined in Title 24-A, section 4318-A, subsection 1, paragraph A 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. Beginning October 1, 2012, price information posted on the website must be posted semiannually, must display the date of posting and, when posted, must be current to within 12 months of the date of submission of the information. Payment reports and price information posted on the website must include data submitted by payors with regard to all health care facilities and practitioners that provide comparable health care services as defined in Title 24-A, section 4318-A, subsection 1, paragraph A or services for which the organization reports data pertaining to the statewide average price pursuant to this subsection or Title 24-A, section 4318-B. Upon notice made by a health care facility or practitioner that data posted by the organization pertaining to that facility or practitioner is inaccurate or incomplete, the organization shall remedy the inaccurate or incomplete data within the earlier of 30 days of receipt of the notice and the next semiannual posting date.

**Sec. 3. 24-A MRSA §4302, sub-§1, ¶K**, as amended by PL 2009, c. 439, Pt. B, §3, is further amended to read:

K. A description of the requirements for enrollees to obtain coverage of routine costs of clinical trials and information on the manner in which enrollees not eligible to participate in clinical trials may qualify for the compassionate use program of the federal Food and Drug Administration for use of investigational drugs pursuant to 21 Code of Federal Regulations, Section 312.34, as amended; and

**Sec. 4. 24-A MRSA §4302, sub-§1, ¶L**, as enacted by PL 2009, c. 439, Pt. B, §4, is amended to read:

L. A description of a provider profiling program that may be a part of the health plan, including the location of provider performance ratings in the plan materials or on a publicly accessible website, information explaining the provider rating system and the basis upon which provider performance is measured, the limitations of the data used to measure provider performance, the process for selecting providers and a conspicuous written disclaimer explaining the provider performance ratings should only be used as a guide for choosing a provider and that enrollees should consult their current provider before making a decision about their health care based on a provider rating; and

**Sec. 5. 24-A MRSA §4302, sub-§1, ¶M** is enacted to read:

M. If the health plan is subject to the requirements of section 4318-A, a description of the incentives available to an enrollee and how to earn such incentives if enrolled in a health plan offering a comparable health care service incentive program designed pursuant to section 4318-A.

**Sec. 6. 24-A MRSA §4303, sub-§21** is enacted to read:

**21. Health care price transparency tools.** Beginning January 1, 2018, a carrier offering a health plan in this State shall comply with the following requirements.

A. A carrier shall develop and make available a website accessible to enrollees and a toll-free telephone number that enable enrollees to obtain information on the estimated costs for obtaining a comparable health care service, as defined in Title 24-A, section 4318-A, subsection 1, paragraph A, from network providers, as well as quality data for those providers, to the extent available. A carrier may comply with the requirements of this paragraph by directing enrollees to the publicly accessible health care costs website of the Maine Health Data Organization.

B. A carrier shall make available to the enrollee the ability to obtain an estimated cost that is based on a description of the service or the applicable standard medical codes or current procedural terminology codes used by the American Medical Association provided to the enrollee by the provider. Upon an enrollee's request, the carrier shall request additional or clarifying code information, if needed, from the provider involved with the comparable health care service. If the carrier obtains specific code information from the enrollee or the enrollee's provider, the carrier shall provide the anticipated charge and the enrollee's anticipated out-of-pocket costs based on that code information, to the extent such information is made available to the carrier by the provider.

C. A carrier shall notify an enrollee that the amounts are estimates based on information available to the carrier at the time the request is made and that the amount the enrollee will be responsible to pay may vary due to unforeseen circumstances that arise out of the proposed comparable health care service. This subsection does not prohibit a carrier from imposing cost-sharing requirements disclosed in the enrollee's certificate of coverage for unforeseen health care services that arise out of the proposed comparable health care service or for a procedure or service that was not included in the original estimate. This subsection does not preclude an enrollee from contacting

the carrier to obtain more information about a particular admission, procedure or service with respect to a particular provider.

D. Notwithstanding the provisions of this subsection and at the request of a carrier, the superintendent may grant an additional year to comply with the provisions of this subsection as long as the carrier has demonstrated a good faith effort to comply with the provisions of this subsection and has provided the superintendent with an action plan detailing the steps to be taken by the carrier to comply with this subsection no later than January 1, 2019.

**Sec. 7. 24-A MRSA §4303, sub-§22** is enacted to read:

**22. Denial of referral by out-of-network provider prohibited.** Beginning January 1, 2018, a carrier may not deny payment for any health care service covered under an enrollee's health plan based solely on the basis that the enrollee's referral was made by a provider who is not a member of the carrier's provider network.

**Sec. 8. 24-A MRSA §4318-A** is enacted to read:

**§4318-A. Comparable health care service incentive program**

Beginning January 1, 2019, a carrier offering a health plan in this State shall establish, at a minimum, for all small group health plans as defined in section 2808-B, subsection 1, paragraph G compatible with a health savings account authorized under federal law, a health plan design in which enrollees are directly incentivized to shop for low-cost, high-quality participating providers for comparable health care services. Incentives may include, but are not limited to, cash payments, gift cards or credits or reductions of premiums, copayments or deductibles. A small group health plan design created under this section must remain available to enrollees for at least 2 consecutive years, except that any changes made to the program after 2 years, including, but not limited to, ending the incentive, may not be construed as a change to the small group health plan design for the purpose of guaranteed renewability under section 2808-B, subsection 4 or section 2850-B. A multiple-employer welfare arrangement is not considered a carrier for the purposes of this section.

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

**A. "Comparable health care service" means nonemergency, outpatient health care services in the following categories:**

**(1) Physical and occupational therapy services;**

**(2) Radiology and imaging services;**

**(3) Laboratory services; and**

**(4) Infusion therapy services.**

**B. "Program" means the comparable health care service incentive program established by a carrier pursuant to this section.**

**2. Filing with superintendent.** Plans filed with the superintendent pursuant to this section must disclose, in the summary of benefits and explanation of coverage, a detailed description of the incentives available to a plan enrollee. The description must clearly detail any incentives that may be earned by the enrollee, including any limits on such incentives, the actions that must be taken in order to earn such incentives and a list of the types of services that qualify under the program. This subsection may not be construed to prevent a carrier from directing an enrollee to the carrier's website or toll-free telephone number for further information on the program in the summary of benefits and explanation of coverage. The superintendent shall review the filing made by the carrier to determine if the carrier's program complies with the requirements of this section.

**3. Availability of program; notice to enrollees.** Annually at enrollment or renewal, a carrier shall provide notice about the availability of the program to an enrollee who is enrolled in a health plan eligible for the program as required by section 4302, subsection 1, paragraph M.

**4. Additional types of nonemergency health care services or procedures.** Nothing in this section precludes a carrier from including additional types of nonemergency health care services or procedures in its program.

**5. No administrative expense.** An incentive payment made by a carrier in accordance with this section is not an administrative expense of the carrier for rate development or rate filing purposes.

**6. Study and evaluation.** Beginning March 1, 2020 and annually thereafter, the superintendent shall undertake a study and evaluation of the programs created by carriers as required by this section. The superintendent may request information on enrollment and use of incentives earned by enrollees of a carrier as necessary. By April 15, 2020 and annually thereafter, the superintendent shall submit an aggregate report relating to the performance of the programs, the use of incentives, the incentives earned by enrollees and the cumulative effect of the programs to the joint standing committee of the Legislature having jurisdiction over health insurance matters.

**7. Rules.** The superintendent may adopt rules as necessary to implement this section. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

**8. Repeal.** This section is repealed January 1, 2024.

**Sec. 9. 24-A MRSA §4318-B** is enacted to read:

**§4318-B. Access to lower-priced services**

**1. Services from out-of-network provider; lower prices.** Beginning January 1, 2019, if an enrollee covered under a health plan other than a health maintenance organization plan elects to obtain a covered comparable health care service as defined in section 4318-A, subsection 1, paragraph A from an out-of-network provider at a price that is the same or less than the statewide average for the same covered health care service based on data reported on the publicly accessible health care costs website of the Maine Health Data Organization, the carrier shall allow the enrollee to obtain the service from the out-of-network provider at the provider's charge and, upon request by the enrollee, shall apply the payments made by the enrollee for that comparable health care service toward the enrollee's deductible and out-of-pocket maximum as specified in the enrollee's health plan as if the health care services had been provided by an in-network provider. A carrier may use the average price paid to a network provider for the covered comparable health care service under the enrollee's health plan in lieu of the statewide average price on the Maine Health Data Organization's publicly accessible website as long as the carrier uses a reasonable method to calculate the average price paid and the information is available to enrollees through a website accessible to the enrollee and a toll-free telephone number that provide, at a minimum, information relating to comparable health care services. The enrollee is responsible for demonstrating to the carrier that payments made by the enrollee to the out-of-network provider should be applied toward the enrollee's deductible or out-of-pocket maximum pursuant to this section. The carrier shall provide a downloadable or interactive online form to the enrollee for the purpose of making such a demonstration and may require that copies of bills and proof of payment be submitted by the enrollee. For the purposes of this section, "out-of-network provider" means a provider located in Massachusetts, New Hampshire or this State that is enrolled in the MaineCare program and participates in Medicare.

**2. Rules.** The superintendent may adopt rules as necessary to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**3. Repeal.** This section is repealed January 1, 2024.

See title page for effective date.

**CHAPTER 233**

**H.P. 755 - L.D. 1077**

**An Act To Reduce the License Fee for High-stakes Beano**

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

**Sec. 1. 17 MRSA §314-A, sub-§4**, as amended by PL 2015, c. 24, §1 and affected by §2, is further amended to read:

**4. Term of license; fees.** A license issued under this section is valid for a period of one year. The annual license fee for a high-stakes beano license is ~~\$50,000, except that the annual license fee due in 2008 to 2016 is \$25,000~~ **\$5,000**. License fees may be paid in advance in quarterly installments. All license fees must be paid to the Treasurer of State to be credited to the General Fund.

**Sec. 2. High-stakes beano license reduction.** Notwithstanding the Maine Revised Statutes, Title 17, section 314-A, subsection 4, a unit within the Department of Public Safety tasked with collecting fees for the conduct of high-stakes beano may not collect an amount totaling greater than \$5,000 in calendar year 2017 from any one federally recognized Indian tribe in the State eligible to conduct high-stakes beano.

See title page for effective date.

**CHAPTER 234**

**S.P. 454 - L.D. 1340**

**An Act To Amend the Laws Governing the Maine State Housing Authority**

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

**Sec. 1. 5 MRSA §1742, sub-§23, ¶D**, as amended by PL 1989, c. 502, Pt. A, §16, is further amended to read:

D. The department shall work closely with the Maine State Housing Authority to develop a procedure by which surplus state-owned land and structures are held in trust for the purpose set forth in this section and Title 30-A, chapter 201, ~~sub-chapters III A and XI~~ subchapter 3-A;

**Sec. 2. 10 MRSA §363, sub-§11**, as amended by PL 1999, c. 728, §8, is repealed.

**Sec. 3. 30-A MRSA §4702, sub-§1**, 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:

**1. Area of operation.** "Area of operation" of a municipal housing authority includes all of the municipality for which it is created and, except as provided in paragraphs A ~~and B~~ and C-1, the area within 10 miles outside its ~~territorial~~ municipal boundaries. The "area of operation" of the Maine State Housing Authority is the entire State, except as provided in paragraph C-1.

~~A. No~~ A municipal housing authority may not operate in any area in which an a municipal housing authority already established is operating without the consent by resolution of the municipal housing authority already operating in that area.

~~B. The area of operation of the housing authority of a city~~ municipality does not include any area which that lies within the territorial municipal boundaries of any other city nor does it include any portion of a town municipality for which a municipal housing authority has been organized, without the consent by resolution of the legislative body of the other city or the selectmen of the town other municipality.

~~C. The Maine State Housing Authority may not operate in any area in which a municipal authority already established under this chapter is operating without the consent by resolution of that authority.~~

~~(1) In the case of the Maine State Housing Authority, the requirements of coordination and local approval specified in sections 4741, subsection 10 and 4771 may be complied with by the local municipal legislative body's passage of the following resolution:~~

~~"The Maine State Housing Authority is authorized to seek and may contract for financial assistance from the Federal Government for the purpose of providing housing for low income persons and families in (Name of Municipality)."~~

~~Passage of this resolution is conclusive evidence of compliance with sections 4741, subsection 10, and 4771. The local municipal legislative body may repeal the resolution, provided that:~~

~~(a) Any contract for federal assistance entered into between the Maine State Housing Authority and any person in or with respect to the municipality in question after the original resolution is passed and before it is repealed is not affected by the repeal; and~~

~~(b) The security of the authority's mortgage interest or the obligation or repayment of debt to bondholders is not affected by the repeal.~~

C-1. A municipal housing authority has exclusive jurisdiction within the municipal boundaries of the municipality for which it was organized to administer regular tenant-based housing choice vouchers under Section 8 of the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, as amended. This paragraph does not limit the authority of the Maine State Housing Authority to administer project-based vouchers or to administer specialty vouchers that are associated with services such as case management, clinical services, child welfare services or other housing stability services.

~~D. The authority shall meet and discuss with the local municipal legislative body concerning permissible and preferred developers, housing management entities and sites in anticipation of a preliminary designation of a proposed project. When the authority has received a proposed project for consideration, it shall so notify the municipality in question. When the authority has made a preliminary designation of a proposed project, it shall so notify the municipality within 30 days. If the municipal legislative body disapproves of the preliminary designation, it shall notify the authority of its disapproval within 45 days after the authority's notice of selection. The notice of disapproval has the effect of repealing the consent resolution for that proposed project.~~

**Sec. 4. 30-A MRSA §4702, sub-§5,** 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 repealed.

**Sec. 5. 30-A MRSA §4702, sub-§10, ¶A,** as amended by PL 1991, c. 574, §1, is further amended to read:

A. An interest-bearing obligation secured by a mortgage constituting a lien on single-family or multi-unit residential housing, including any mortgage loan made for the purpose of acquiring, developing, constructing or reconstructing single-family or multi-unit residential housing or for the purpose of preserving and maintaining the affordability of the housing;

**Sec. 6. 30-A MRSA §4702, sub-§10-A** is enacted to read:

**10-A. Municipal housing authority or municipal authority.** "Municipal housing authority" or "municipal authority" means any of the public corporations authorized to be created by section 4721.

**Sec. 7. 30-A MRSA §4702, sub-§13,** 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 repealed.

**Sec. 8. 30-A MRSA §4706, sub-§§5 to 7** are enacted to read:

**5. Confidentiality of personnel records.** The following records are confidential and not open to public inspection:

A. Except as otherwise provided in this paragraph, applications, resumes, letters and notes of reference, working papers, research materials, records, examinations and any other documents or records and the information they contain, solicited or prepared either by the applicant or the authority for use in the examination or evaluation of applicants for employment by the authority.

(1) Applications, resumes and letters and notes of reference pertaining to the applicant hired, other than those letters and notes of reference expressly submitted in confidence, are public records after the applicant is hired.

(2) Telephone numbers are not public records if they are designated as unlisted or unpublished in an application, resume or letter or note of reference:

B. Authority records pertaining to an identifiable employee and containing the following:

(1) Medical information of any kind, including information pertaining to diagnosis or treatment of mental or emotional disorders;

(2) Performance evaluations and personal references submitted in confidence;

(3) Information pertaining to the creditworthiness of a named employee;

(4) Information pertaining to the personal history, general character or conduct of members of the employee's immediate family;

(5) Complaints, charges or accusations of misconduct, replies to those complaints, charges or accusations and any other information or materials that may result in disciplinary action. If disciplinary action is taken, the final written decision relating to that action is no longer confidential after the decision is completed if it imposes or upholds discipline. The decision must state the conduct or other facts on the basis of which disciplinary action is being imposed and the conclusions of the acting authority as to the reasons for that action; and

(6) Personal information, including that which pertains to the employee's:

(a) Age;

(b) Ancestry, ethnicity, genetic information, national origin, race or skin color;

(c) Marital status;

(d) Mental or physical disabilities;

(e) Personal contact information, as described in Title 1, section 402, subsection 3, paragraph O;

(f) Personal employment choices pertaining to elected payroll deductions, deferred compensation, saving plans, pension plans, health insurance and life insurance;

(g) Religion;

(h) Sex or sexual orientation as defined in Title 5, section 4553, subsection 9-C; or

(i) Social security number; and

C. Other information to which access by the general public is prohibited by law.

**6. Employee right to review.** On written request from an employee or former employee, the authority shall provide the employee, former employee or the employee's authorized representative with an opportunity to review the employee's personnel file, if the authority has a personnel file for that employee. The review must take place during normal office hours at the location where the personnel files are maintained. For the purposes of this subsection, a personnel file includes, but is not limited to, any formal or informal employee evaluations and reports relating to the employee's character, credit, work habits, compensation and benefits that the authority may possess. The records described in subsection 5, paragraph B may also be examined by the employee to whom the records relate, as provided in this subsection.

**7. Constitutional obligations of a prosecutor.** Notwithstanding this section or any other provision of law, subsection 5 does not preclude the disclosure of confidential personnel records and the information contained in those records to the Attorney General, a deputy attorney general, an assistant attorney general, a district attorney, a deputy district attorney, an assistant district attorney or the equivalent departments or offices in a federal jurisdiction that are related to the determination of and compliance with the constitutional obligations of the State or the United States to provide discovery to a defendant in a criminal matter. A person or entity participating in good faith disclosure under this subsection or participating in a related proceeding is immune from criminal and civil liability for the act of disclosure or for participating in the proceeding.

**Sec. 9. 30-A MRSA §4721, sub-§5** is enacted to read:

**5. Meeting with municipal legislative body.** Unless the municipality and the authority agree other-

wise, an authority shall meet at least annually with the legislative body of the municipality for which it is created.

**Sec. 10. 30-A MRSA §4722, sub-§1, ¶F**, 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:

F. Act as the public agency of the State for the purpose of accepting federal funds or other assistance, or funds or other assistance from any other source, in relation to housing activity ~~in those areas~~ and for those projects authorized under section 4741, subsection 2 and other relevant provisions of this chapter;

**Sec. 11. 30-A MRSA §4722, sub-§1, ¶K**, 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:

K. Perform other functions necessary ~~to the powers and duties expressly stated in this chapter or~~ useful for carrying out any of its powers, duties or purposes;

**Sec. 12. 30-A MRSA §4722, sub-§1, ¶M**, 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 repealed.

**Sec. 13. 30-A MRSA §4722, sub-§1, ¶O**, 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:

O. Issue or cause to be issued certificates or other instruments evidencing the holder's fractional undivided interest in a pool of mortgage loans. Whether or not the certificates or instruments are of such form or character as to be negotiable instruments under Title 11, article ~~§ 8-A~~, the certificates or instruments are deemed negotiable instruments within the meaning of and for all the purposes of Title 11, article ~~§ 8-A~~, subject only to any registration requirements that the Maine State Housing Authority may establish;

**Sec. 14. 30-A MRSA §4722, sub-§1, ¶W**, as amended by PL 2003, c. 704, §4, is further amended to read:

W. Pursuant to the purpose of the Act to provide housing assistance to persons of low income and in accordance with rules adopted under the Maine Administrative Procedure Act, operate programs to provide energy conservation and fuel assistance on behalf of persons of low income in connection with single-family or multi-unit residential housing and accept, obtain, distribute and administer federal and state funds, including block grants, for energy conservation and fuel assistance for the purpose of operating those programs;

~~(1) The Maine State Housing Authority shall report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs on June 30, 1992 and annually thereafter on the low-income energy assistance program. The report must include, but is not limited to, program revenue and expenditures, number of individuals served and types of services provided;~~

**Sec. 15. 30-A MRSA §4722, sub-§1, ¶Y**, as amended by PL 2011, c. 679, §29, is repealed.

**Sec. 16. 30-A MRSA §4722, sub-§1, ¶CC**, as corrected by RR 2009, c. 2, §85, is amended to read:

CC. Encourage and provide incentives to individuals and entities that conserve energy; support and participate, with resources derived from sources except the conservation program fund under Title 35-A, section 10110, subsection 7, in markets that reward energy conservation and use the proceeds from this participation to support affordable housing programs under its jurisdiction; and create and administer programs that encourage individuals and entities to conserve energy; ~~and~~

**Sec. 17. 30-A MRSA §4722, sub-§1, ¶DD**, as amended by PL 2011, c. 453, §2, is further amended to read:

DD. Certify affordable housing projects for the purpose of the income tax credit increase under Title 36, section 5219-BB, subsection 3; administer and enforce the affordability requirements set forth in this paragraph; and perform other functions described in this paragraph and necessary to the powers and duties described in this paragraph.

(1) For purposes of this paragraph, unless the context otherwise indicates, the following terms have the following meanings.

(a) "Affordable housing" means a decent, safe and sanitary dwelling, apartment or other living accommodation for a household whose income does not exceed 60% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 412, 50 Stat. 888, Section 8, as amended.

(b) "Affordable housing project" means a project in which:

(i) At least 50% of the aggregate square feet of the completed project is housing of which at least 50% of the aggregate square feet of the

completed housing creates new affordable housing; or

(ii) At least 33% of the aggregate square feet of the completed project creates new affordable housing.

(2) An affordable housing project for which the owner of the property received the income tax credit increase under Title 36, section 5219-BB, subsection 3 must remain an affordable housing project for 30 years from the date the affordable housing project is placed in service. If the property does not remain an affordable housing project for 30 years from the date the affordable housing project is placed in service, the owner of the property shall pay to the Maine State Housing Authority for application to the Housing Opportunities for Maine Fund established under section 4853 an amount equal to the income tax credit increase allowed under Title 36, section 5219-BB, subsection 3, plus interest on that amount at the rate of 7% per annum from the date the property is placed in service until the date of payment of all amounts due. The affordability requirements and the repayment obligation in this subparagraph must be set forth in a restrictive covenant executed by the owner of the property and the affordable housing project for the benefit of and enforceable by the Maine State Housing Authority and recorded in the appropriate registry of deeds before the owner of the property claims the income tax credit increase under Title 36, section 5219-BB, subsection 3.

(3) If the repayment obligation in subparagraph (2) is not fully satisfied after written notice is sent by certified mail or registered mail to the owner of the property at the owner's last known address, the Maine State Housing Authority may file a notice of lien in the registry of deeds of the county in which the real property subject to the lien is located. The notice of lien must specify the amount and interest due, the name and last known address of the owner, a description of the property subject to the lien and the Maine State Housing Authority's address and the name and address of its attorney, if any. The Maine State Housing Authority shall send a copy of the notice of lien filed in the registry by certified mail or registered mail to the owner of the property at the owner's last known address and to any person who has a security interest, mortgage, lien, encumbrance or other interest in the property that is properly recorded in the registry of deeds in which the property is located. The lien arises and becomes perfected at the time the notice is filed

in the appropriate registry of deeds in accordance with this subparagraph. The lien constitutes a lien on all property with respect to which the owner receives the income tax credit increase under Title 36, section 5219-BB, subsection 3 and the proceeds of any disposition of the property that occurs after notice to the owner of the repayment obligation. The lien is prior to any mortgage and security interest, lien, restrictive covenant or other encumbrance recorded, filed or otherwise perfected after the notice of lien is filed in the appropriate registry of deeds. The lien may be enforced by a turnover or sale order in accordance with Title 14, section 3131 or any other manner in which a judgment lien may be enforced under the law. The lien must be in the amount of the income tax credit increase allowed under Title 36, section 5219-BB, subsection 3, plus interest on that amount at the rate of 7% per annum from the date the property is placed in service until the date of payment of all amounts due. Upon receipt of payment of all amounts due under the lien, the Maine State Housing Authority shall execute a discharge lien for filing in the registry or offices in which the notice of lien was filed.

(4) Annually by every August 1st until and including August 1, 2023, the Maine State Housing Authority shall review the report issued pursuant to Title 27, section 511, subsection 5, paragraph A to determine the percentage of the total aggregate square feet of completed projects that constitutes new affordable housing, rehabilitated and developed using:

(a) Either of the income tax credits under Title 36, section 5219-BB, subsection 2; and

(b) The income tax credit increase under Title 36, section 5219-BB, subsection 3.

If the total aggregate square feet of new affordable housing does not equal or exceed 30% of the total aggregate square feet of rehabilitated and developed completed projects eligible for a credit under Title 36, section 5219-BB, the Maine State Housing Authority and Maine Historic Preservation Commission shall notify the State Tax Assessor of this fact:

**Sec. 18. 30-A MRSA §4722, sub-§1, ¶¶EE and FF** are enacted to read:

EE. Refinance a single-family mortgage loan held by the Maine State Housing Authority for a homeowner whose income at the time of refinanc-

ing is no greater than the income limits for qualified first-time homebuyers established under 26 United States Code, Section 143, or an existing loan on any owner-occupied single-family residence for purposes of lowering mortgage payments or making home improvements for persons of low income; and

FF. Provide grants to eligible homeowners who are served by private well water that shows evidence of high levels of arsenic contamination. For purposes of this paragraph, "homeowner" includes an individual who occupies a single-family dwelling that is located on land that is owned by a member of that individual's immediate family and "immediate family" means a spouse, parent, child, sibling, stepchild, stepparent and grandparent.

**Sec. 19. 30-A MRSA §4724, sub-§2**, as amended by PL 1991, c. 476, is further amended to read:

**2. Acquisition of interest in project; accepting employment.** ~~No~~ During tenure and within one year of service, no employee or commissioner of any authority may, ~~within 2 years of that service, or in the case of employees of the authority, during tenure or within 2 years of that service,~~ voluntarily acquire any interest, direct or indirect, in any contract, project or property included or planned to be included in any project of that housing authority over which the employee or commissioner has exercised responsibility, control or decisions during tenure with the authority; ~~nor may any, and no~~ employee or commissioner of any authority, if employment is accepted with any person who has an interest in any contract, property or project included or planned to be included in any project of that authority, may work directly on that contract, project or property for that person if the employee or commissioner has exercised responsibility, control or decisions over that contract, project or property.

A. This subsection does not prohibit a manufactured housing inspector employed by the Maine State Housing Authority from accepting employment by a person to work on manufactured housing ~~which~~ that is manufactured after the date employment with the Maine State Housing Authority has terminated.

**Sec. 20. 30-A MRSA §4741, sub-§§10 and 11**, 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, are further amended to read:

**10. Coordination with municipal officers.** The commissioners of a municipal authority or the director of the Maine State Housing Authority shall ~~establish procedures by which the legislative body of a municipality may provide the municipal officers an opportunity to review and discuss proposed development projects and~~ prior to submitting the plans for financing

~~proposed projects to the appropriate municipal officer or agency;~~

**11. Mortgage credits.** The Maine State Housing Authority may acquire from banks, life insurance companies, savings and loan associations, pension or retirement funds, any fiduciaries, the Federal Government and other financial institutions, persons or governmental or business entities mortgage loans and notes anywhere in the State, ~~the restriction as to the area of operation in section 4702 notwithstanding,~~ and may sell mortgages and notes to insurance companies, other financial institutions, persons or governmental or business entities and the Federal Government or any fiduciaries or pension or retirement funds;

**Sec. 21. 30-A MRSA §4741, sub-§17**, as amended by PL 2015, c. 494, Pt. B, §2, is further amended to read:

**17. Comprehensive housing affordability strategy coordinator.** The Maine State Housing Authority is designated the comprehensive housing affordability strategy coordinator for the State and has the power to prepare and submit on behalf of the State the annual comprehensive housing affordability strategy called for in the Cranston-Gonzalez National Affordable Housing Act, Public Law 101-625 (1990), as amended, and to undertake all monitoring and certification procedures required under that law. The Maine State Housing Authority shall represent the State in carrying out the HOME Investment Partnerships Program created by the Cranston-Gonzalez National Affordable Housing Act, as amended;

**Sec. 22. 30-A MRSA §4752, sub-§2**, as amended by PL 2011, c. 691, Pt. B, §27, is repealed.

**Sec. 23. 30-A MRSA §4753, sub-§2**, as enacted by PL 1989, c. 914, §4, is repealed.

**Sec. 24. 30-A MRSA §4754, sub-§3**, as enacted by PL 1989, c. 48, §§3 and 31, is amended to read:

**3. State-owned property.** The Maine State Housing Authority may use surplus state-owned property pursuant to this subchapter ~~and subchapter XI~~ and Title 5, section 1742, subsection 23; to achieve the purpose of this article.

**Sec. 25. 30-A MRSA §4755**, as enacted by PL 1989, c. 48, §§3 and 31, is amended to read:

**§4755. Provide property**

The Maine State Housing Authority may provide surplus state property below market value pursuant to this subchapter ~~and subchapter XI~~ and Title 5, section 1742, subsection 23; to any person, firm or organization that agrees to construct, reconstruct or rehabilitate affordable housing for low-income and moderate-income households and maintain this property for this

purpose in a written contract with the Maine State Housing Authority.

**Sec. 26. 30-A MRSA §4771, sub-§4**, 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 repealed.

**Sec. 27. 30-A MRSA §4832, sub-§1**, as amended by PL 1989, c. 6; c. 9, §2; c. 48, §§4 and 31; c. 104, Pt. C, §§8 and 10; and c. 581, §10, is further amended to read:

**1. Participation requirements.** Except as provided in ~~paragraph~~ paragraphs A and B, the Maine State Housing Authority may not participate in the making of construction loans unless a financial institution in the State agrees to participate in the loan at least to the extent of acting as escrow agent. Notwithstanding any other provisions of law, financial institutions in the State may act as required by this subchapter.

A. The Maine State Housing Authority may make construction loans to state public bodies or other public instrumentalities and private nonprofit corporations without the participation of a financial institution.

B. If a project's financing requires that the Maine State Housing Authority participate in the construction loan at a level greater than 60%, the Maine State Housing Authority may make the whole construction loan without using an escrow agent.

**Sec. 28. 30-A MRSA §4854, 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. Gains from investments.** Subject to any pledge, contract or other obligation under this section, all interest, dividends and pecuniary gains from the investment of money of the fund; ~~and~~

**Sec. 29. 30-A MRSA §4854, sub-§3-A** is enacted to read:

**3-A. Nonlapsing revolving loan funds.** Any funds remaining in a revolving loan fund administered by the Maine State Housing Authority for a period longer than 10 years and directed by the Maine State Housing Authority to be paid into the fund; and

**Sec. 30. 30-A MRSA §4863, sub-§5**, as enacted by PL 2009, c. 372, Pt. E, §1, is amended to read:

**5. Reporting.** Not later than March 1, 2011 and March 1st of each year thereafter, the director of the authority shall report to the joint standing committee of the Legislature having jurisdiction over affordable housing matters on the status of the fund as long as there has been new activity since the previous report.

The report must include, but is not limited to, the amount of revenue bonds issued under this subchapter, the type, location and cost of projects receiving bond proceeds, the number of housing units created by each project, the number of direct construction jobs created or maintained by each project, the amount of direct construction wages paid in creating or maintaining those jobs and the total amount of building materials purchased in the development of each project.

**Sec. 31. 30-A MRSA §4871, 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. C, §§8 and 10, is further amended to read:

**2. Negotiable instruments.** Whether or not the bonds are of such form and character as to be negotiable instruments under the Uniform Commercial Code, Title 11, article 8 ~~8-A~~, the bonds are hereby made negotiable instruments within the meaning of and for all the purposes of the Uniform Commercial Code, Title 11, article 8 ~~8-A~~, subject only to the provisions of the bonds for registration.

The bonds may be sold at public or private sale. Any provision of any law to the contrary notwithstanding, any bonds issued under this chapter ~~shall be~~ are fully negotiable.

**Sec. 32. 30-A MRSA §4912**, as amended by PL 1989, c. 501, Pt. DD, §36, is repealed.

**Sec. 33. 30-A MRSA §4913**, 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 repealed.

**Sec. 34. 30-A MRSA c. 201, sub-cc. 9-A and 9-B**, as amended, are repealed.

**Sec. 35. 30-A MRSA c. 201, sub-c. 11**, as amended, is repealed.

**Sec. 36. 30-A MRSA §4973, sub-§2**, as amended by PL 1993, c. 175, §11, is further amended to read:

**2. Right of first refusal.** The Maine State Housing Authority has the right of first refusal to purchase the property at its current appraised value, as determined by appraisers for the owner and the authority. The authority holds the right of first refusal throughout the 90-day period. Failure to respond to the notice of first refusal within 90 days constitutes a waiver of that right of first refusal by the authority. By stating in writing its intention to pursue its right of first refusal during the 90-day period, the authority has an additional 90 days, beginning on the date ~~of the termination of the first refusal period~~ the appraised value is determined by the appraisers for the owner and the authority, to buy or to produce a buyer for the property. This additional 90-day period may be extended by mutual agreement between the authority and the owner of the property.

A. Nothing in this section prevents an owner of the property from deciding not to sell, transfer or take other action that would result in termination of the financial assistance and revoking the notice required by subsection 1 at any time before its expiration. The withdrawal or revocation extinguishes any right of first refusal held by the Maine State Housing Authority.

**Sec. 37. 30-A MRSA §5002, sub-§§7, 10 and 13,** as enacted by PL 1989, c. 601, Pt. B, §4, are repealed.

**Sec. 38. 30-A MRSA §5003,** as amended by PL 1991, c. 610, §7, is repealed.

**Sec. 39. 30-A MRSA c. 202, sub-cc. 2, 3 and 4,** as amended, are repealed.

**Sec. 40. 30-A MRSA §5047, sub-§1, ¶B,** as enacted by PL 2005, c. 380, Pt. A, §2, is amended to read:

B. The Director of the Maine State Housing Authority or the director's designee;

**Sec. 41. 30-A MRSA c. 202, sub-c. 6,** as amended, is repealed.

**Sec. 42. Effective date.** That section of this Act that amends the Maine Revised Statutes, Title 30-A, section 4702, subsection 1 takes effect January 1, 2018.

See title page for effective date, unless otherwise indicated.

**CHAPTER 235**

**H.P. 1080 - L.D. 1569**

**An Act To Revise Certification Statutes for Educational Personnel**

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

**Sec. 1. 20-A MRSA §6103,** as amended by PL 2015, c. 395, §§1 to 3, is further amended to read:

**§6103. Criminal history record information conviction data**

Beginning July 1, 2000, ~~approval, certification, authorization~~ a credential and renewal under chapters 501 and 502 are subject to the provisions of this section. A person who has complied with the requirements of this section is not required to submit to a subsequent national criminal history record check unless that person has not been continuously employed in a position requiring ~~approval, certification or authorization~~ a credential under chapters 501 and 502. A person who has not been continuously employed in such a

position is subject to a subsequent national criminal history record check upon renewal. School vacations are not a break in employment. ~~Fingerprinting of immediately affected applicants for certification, authorization or renewal, conducting of the needed state and national criminal history record checks by the State Bureau of Identification and forwarding of the results by the bureau to the department must begin on September 1, 1999.~~

**1. Criminal history record information obtained; reliance.** The commissioner shall obtain criminal history record information containing a record of public criminal history record information as defined in Title 16, section 703, subsection 8 from the Maine Criminal Justice Information System for any person applying for ~~certification, authorization, approval~~ a credential or renewal. The commissioner may rely on information provided by the Maine Criminal Justice Information System within 24 months prior to the issuance of a ~~certificate, authorization, approval~~ credential or renewal.

**2. Issuance restriction.** Issuance of a ~~certificate, authorization, approval~~ credential or renewal to any person whose criminal history record information includes a criminal conviction is subject to the provisions of Title 5, chapter 341 and section 13020.

**3. Confidentiality.** Any information obtained pursuant to this section is confidential. The results of criminal history record checks received by the commissioner are for official use only and may not be disseminated outside the department, except that the commissioner may outsource administrative functions of software document management according to federal outsourcing standards as described in 28 Code of Federal Regulations, Section 906.2 (2011) and allow access to these results for that purpose.

**3-A. Fees.** The Commissioner of Public Safety shall assess a fee set annually by the Commissioner of Education for each initial criminal history record check and a fee set annually by the Commissioner of Education for each renewal criminal history record check required by this section.

**4-A. Phase-in plan.** The fingerprinting and approval process established by this section for certain classes of individuals must be phased in as follows:

A. The fingerprinting and approval process must be phased in for all persons regularly employed in a school during the 1999-2000 school year who require department approval to continue in their positions and who have not been fingerprinted pursuant to this section prior to enactment of this subsection. The department shall issue each person a temporary approval card valid through a specified year from 2001 to 2004. Prior to July 1st of the year specified on the temporary approval card, the person must meet the require-

ments of this section. Once a person has met the requirements of this section, an approval card must be issued;

B. A person placed under contract by a school and subject to the requirements of this section, who has not been fingerprinted prior to the effective date of this subsection, must meet these requirements by July 1, 2002;

C. A person employed as a substitute who has not been fingerprinted prior to the effective date of this subsection must meet the requirements by July 1, 2002. Beginning with the 2003-2004 school year, a person employed as a substitute who needs fingerprinting and a criminal history record check pursuant to section 13011, subsection 8 must meet the requirements of this section within 8 weeks of employment by a school administrative unit. A person employed as a substitute who needs fingerprinting and a criminal history record check must be issued a temporary approval card by the department. The temporary approval card is valid for the first 8 weeks of employment, except that, for a person who has been fingerprinted pursuant to this section prior to the 20th day of employment and who has not received the results of the criminal history record check prior to the 9th week of employment, the temporary approval card remains valid until the commissioner determines whether approval is granted or denied based on the criminal history record information obtained from the State Bureau of Identification; and

D. A regular employee subject to the requirements of this section who begins work in a school after the effective date of this subsection must meet these requirements prior to the 20th day of employment. Beginning with the 2003-2004 school year, a regular employee who needs fingerprinting and a criminal history record check pursuant to section 13011, subsection 8 must meet the requirements of this section within 8 weeks of employment by a school administrative unit. A regular employee who needs fingerprinting and a criminal history record check must be issued a temporary approval card by the department. The temporary approval card is valid for the first 8 weeks of employment, except that, for a person who has been fingerprinted pursuant to this section prior to the 20th day of employment and who has not received the results of the criminal history record check prior to the 9th week of employment, the temporary approval card remains valid until the commissioner determines whether approval is granted or denied based on the criminal history record information obtained from the State Bureau of Identification.

**5. Criminal record information obtained from the Federal Bureau of Investigation.** The commissioner shall obtain other state and national criminal history record information from the Federal Bureau of Investigation for any person applying for ~~certification, authorization, approval~~ a credential or renewal. The commissioner may rely on information provided by the Federal Bureau of Investigation within 24 months prior to the issuance of a ~~certificate, authorization, approval~~ credential or renewal.

**6. Fingerprinting.** The applicant shall submit to having fingerprints taken. The Maine State Police, upon payment by the applicant or any other entity required by law of the expenses specified in subsection 3-A, shall take or cause to be taken the applicant's fingerprints and shall forward the fingerprints to the State Bureau of Identification so that the bureau can conduct state and national criminal history record checks. Except for the portion of the payment, if any, that constitutes the processing fee charged by the Federal Bureau of Investigation, all money received by the Maine State Police for purposes of this section must be paid over to the Treasurer of State for deposit in the State Police program, Other Special Revenue Funds account in the Department of Public Safety for the purpose of funding the costs of the Department of Public Safety to administer the criminal history record checks under this section.

**7. Use of criminal history record.** State and federal criminal history record information may be used for the purpose of screening educational personnel applicants by the commissioner in order to determine whether ~~certification, authorization, approval~~ issuance of a credential or a renewal of ~~to~~ educational personnel is granted or maintained.

**8. Applicant's access to criminal history record check.** The subject of a Federal Bureau of Investigation criminal history record check may obtain a copy of a criminal history record check by following the procedures outlined in 28 Code of Federal Regulations, Sections 16.32 and 16.33. The subject of a state criminal record check may inspect and review criminal record information pursuant to Title 16, section 709.

**9. Right of applicant and commissioner to remove fingerprints from fingerprint file.** Teachers or educational personnel whose ~~certification, authorization or approval~~ credential has expired and who have not applied for renewal of ~~certification, authorization or approval~~ a credential may request in writing that the State Bureau of Identification remove their fingerprints from the bureau's fingerprint file. In response to a written request, the bureau shall remove the requester's fingerprints from the fingerprint file and provide written confirmation of that removal to the requester.

The commissioner may, without notice to an applicant, remove fingerprints from the fingerprint file main-

tained by the State Bureau of Identification when an applicant has had no active credential for 7 years. An applicant may renew a credential after that applicant's fingerprints have been removed from the fingerprint file upon submitting again to fingerprinting.

#### **10. Criminal History Record Check Fund.**

The Criminal History Record Check Fund is created as a dedicated fund within the Department of Education for the transfer of funds from the Department of Public Safety to cover a portion of the cost of a position that issues ~~certificates~~ credentials. The fund may not lapse, but must be carried forward to carry out the purposes of this chapter.

**Sec. 2. 20-A MRSA §13001-A** is enacted to read:

#### **§13001-A. Definitions**

As used in this chapter and chapters 502 and 502-A, unless the context otherwise indicates, the following terms have the following meanings.

**1. Administrator.** "Administrator" means an individual who provides leadership services to assist in the operation of schools, including, but not limited to, in the following capacities: superintendent, assistant superintendent, building administrator and principal.

**2. Certificate.** "Certificate" means the credential issued by the department to a qualified individual to serve as a teacher, educational specialist, educational technician or administrator.

**3. Clearance.** "Clearance" means the credential issued by the department to a qualified individual who has cleared a criminal history record check under section 6103 to serve as an employee in a position for which certification is not required or as an employee of a contracted service provider.

**4. Conditional certificate.** "Conditional certificate" means the credential issued to a teacher, educational specialist or administrator who has not met all of the requirements for a certificate or endorsement.

**5. Credential.** "Credential" means a document issued by the department indicating that a person has met the criteria to be certified, conditionally certified or cleared under this chapter or chapter 502.

**6. Criminal history record check.** "Criminal history record check" means the fingerprint-based criminal history record check conducted by an entity designated by the department under section 6103.

**7. Educational specialist.** "Educational specialist" means an individual who provides professional services to a school, including, but not limited to, an athletic director, school counselor, library-media specialist, literacy specialist, school psychologist, school nurse, special education consultant, speech-language clinician or career and technical education evaluator.

**8. Educational technician.** "Educational technician" means an individual who provides supportive educational services in accordance with section 13019-H.

**9. Educator preparation program.** "Educator preparation program" means a public or private baccalaureate-level or postbaccalaureate-level program approved by the state board to recommend graduates for certification pursuant to chapter 502 as prekindergarten to grade 12 teachers, educational specialists or school administrators.

**10. Endorsement.** "Endorsement" means a notation on a certificate that specifies the grades and subject area or work area for which the certificate is valid. A certificate may bear one or more endorsements.

**11. Program completer.** "Program completer" means a person who, by successfully completing all of the requirements of an educator preparation program, has qualified for a recommendation for certification as a teacher or an educational specialist or an administrator.

**12. Semester hours.** "Semester hours" means units of academic credit that each reasonably approximate one hour of classroom or direct faculty instruction and a minimum of 2 hours of out-of-class student work each week for approximately 15 weeks or an equivalent amount of academic work at an institution of higher education, including laboratory work, internships, practice studio work or other academic work leading toward the awarding of a credit hour of approved study.

**Sec. 3. 20-A MRSA §13004**, as amended by PL 2009, c. 567, §10, is further amended to read:

#### **§13004. List of persons credentialed; records confidential**

**1. Lists.** The commissioner shall keep a list of ~~certified teachers credentialed individuals~~. This list shall be is a public record. ~~The commissioner shall send copies of the list to school boards and superintendents on their request.~~

**2. Records confidential.** Transcripts, recommendations and other documents submitted in support of an application for ~~certification a credential~~ or collected by the department for verification of ~~certification credential records and maintained in the office of the commissioner shall be~~ are confidential. They may ~~only~~ be made available only to the following:

- A. School boards and superintendents;
- B. Authorized personnel of the department in fulfilling assigned duties; and
- C. Individuals and their representatives who request to examine their own records.

**2-A. Confidentiality.** The provisions of this subsection govern confidentiality. ~~For the purposes of this subsection, the term "certification" means certification, authorization or approval under this chapter and chapter 502.~~

A. Complaints and responses pursuant to section 13020 and any other information or materials that may result in an action to deny, revoke or suspend ~~certification~~ a credential are confidential, except when submitted in court proceedings to revoke or suspend ~~certification~~ a credential.

B. Except for information designated confidential under section 6101 or section 6103, information designated confidential under paragraph A may be released or used by the department as necessary to:

- (1) Complete its own investigations;
- (2) Provide information to a national association of state directors of teacher education and certification to which the State belongs;
- (3) Assist other public authorities to investigate ~~the same teacher's certification~~ an individual's credential in another jurisdiction;
- (4) Report or prevent criminal misconduct or assist law enforcement agencies in their investigations; or
- (5) Report child abuse or neglect under Title 22, section 4011-A.

C. The department may publish and release as public information statistical summaries of complaints and dispositions as long as the release of such information does not jeopardize the confidentiality of individually identifiable information.

D. Notwithstanding paragraph A, the following information concerning final written decisions relating to disciplinary action taken by the commissioner against a person holding ~~certification~~ a credential is a public record:

- (1) The name of the person;
- (2) The type of action taken, consisting of denial, revocation, suspension, surrender or reinstatement;
- (3) The grounds for the action taken;
- (4) The relevant dates of the action;
- (5) The type of ~~certification~~ credential and endorsements held, including relevant dates;
- (6) The schools where the person was or is employed; and
- (7) The dates of employment.

**2-B. Addresses of credential holders and applicants.** Home addresses held by the department of

~~teachers certified to teach individuals with credentials or applicants for credentials~~ in the State may be made available in response to the following:

A. Formal request from a commissioner or chief executive officer of other state agencies, including the judicial branch when access to that information may be necessary in carrying out an official function; and

B. Formal request by majority vote of any joint standing committee of the Legislature when access to that information may be necessary in carrying out an official function.

The use of these addresses by any other agency or department of government to which they may be furnished ~~shall be~~ is limited to the purposes for which they are furnished and by the law under which they may be furnished. It ~~shall be~~ is unlawful for any person to solicit, disclose, receive, make use of or authorize, knowingly permit, participate in or acquiesce in the use of, any list of or names of, or any information concerning, persons applying for or receiving assistance, directly or indirectly, derived from the records, papers, files or communications of the State or subdivisions or agencies, or acquired in the course of the performance of official duties. Any person violating this subsection ~~shall~~ must be punished by a fine of not more than \$500 or by imprisonment for not more than 11 months, or by both.

**3. Duplication costs.** Individuals requesting copies of their records ~~shall~~ bear the costs of copying them.

~~4. Rules. The state board may adopt rules to carry out this section.~~

**Sec. 4. 20-A MRSA §13006**, as amended by PL 1985, c. 785, Pt. B, §81, is repealed.

**Sec. 5. 20-A MRSA §13006-A** is enacted to read:

**§13006-A. Rulemaking**

**1. State board authority.** Except as otherwise provided, the state board has authority to adopt rules to implement this chapter, chapter 502 and chapter 502-A. Rules adopted by the state board to implement this chapter and chapter 502 are major substantive rules, as defined in Title 5, chapter 375, subchapter 2-A, except that the following rules are routine technical rules:

A. Rules adopted by the state board to implement section 13032; and

B. Rules adopted by the state board to implement section 13011, subsection 8.

**2. Commissioner authority.** Notwithstanding subsection 1, the commissioner has authority to adopt rules:

A. To determine the qualifications and process for issuing clearance credentials under chapter 502. These rules are routine technical rules, as defined in Title 5, chapter 375, subchapter 2-A; and

B. Governing the collection and handling of records and information regarding the experiences, qualifications and character of persons seeking credentials under this chapter and chapter 502. These rules are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

**3. Application of rules revising credential qualifications.** An amendment to the rules adopted to implement this chapter or chapter 502 that revises the qualifications for a credential does not apply to a person who was issued a credential prior to or during the school year preceding the adoption of revisions to the rules.

**Sec. 6. 20-A MRSA §13007**, as amended by PL 2015, c. 389, Pt. C, §1 and c. 395, §§4 and 5, is further amended to read:

**§13007. Credential fee; disposition of fees**

**1. Fees.** The commissioner shall establish and assess fees for the initial issuance of and the renewal of teacher, education specialist and administrator certificates processing of an application for a credential. The commissioner shall, by rule, establish the following fees for the credentialing process and the procedures required to assess them: applications for credentials.

A. Fees for the initial certification process for those teachers, education specialists and administrators found eligible and those found ineligible;

B. Renewal fees for each active and inactive teacher, education specialist and administrator;

C. A fee for each additional evaluation of teacher endorsements beyond the initial endorsement;

D. A fee for duplicate certificates; and

E. A fee for administrative portfolios.

The department shall annually post at the beginning of the fiscal year the fees established by the commissioner for the initial issuance of and the renewal of teacher, education specialist and administrator certificates a credential on its publicly accessible website. The commissioner shall adopt rules to carry out this subsection. Rules adopted under this subsection to establish and assess fees for the initial issuance of and the renewal of teacher, education specialist and administrator certificates are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A. A fee established pursuant to this subsection may not increase by more than 10% of the previous fiscal year's fee, unless the increase is approved by the state board.

**2. Accounting.** The commissioner shall:

A. Collect and account for all certificate fees collected pursuant to subsection 1;

B. Report and pay fees collected pursuant to subsection 1, except those fees collected and credited to the National Board Certification Scholarship Fund pursuant to paragraph C and the National Board Certification Salary Supplement Fund pursuant to paragraph D, to the Treasurer of State to be credited to the General Fund;

C. Report and pay \$50,000 in fiscal year 2012-13 and \$75,000 in fiscal year 2013-14 and each fiscal year thereafter from fees collected pursuant to subsection 1 to the Treasurer of State to be credited to the National Board Certification Scholarship Fund, Other Special Revenue Funds account within the Department of Education; and

D. Report and pay no more than \$150,000 in fiscal year 2012-13, no more than \$240,000 in fiscal year 2013-14 and no more than \$335,000 in fiscal year 2014-15 and each fiscal year thereafter from fees collected pursuant to subsection 1 to the Treasurer of State to be credited to the National Board Certification Salary Supplement Fund, Other Special Revenue Funds account within the Department of Education.

**Sec. 7. 20-A MRSA §13008, sub-§1**, as enacted by PL 2011, c. 635, Pt. B, §1, is repealed.

**Sec. 8. 20-A MRSA §13008, sub-§2, ¶¶B and C**, as enacted by PL 2011, c. 635, Pt. B, §1, are amended to read:

B. The number of program completers who pass certification tests the teacher qualifying examinations under section 13032 and the number of those who attain provisional licensure a professional teacher certificate in the State;

C. The number of program completers who proceed from provisional licensure a conditional certificate to a professional licensure certificate; and

**Sec. 9. 20-A MRSA §13011**, as amended by PL 2015, c. 395, §§6 and 7, is further amended to read:

**§13011. General authorization of state board**

**1. Credentialing and revocation rules.** All certificates issued or revoked after June 30, 1988, are in accordance with this chapter. The state board shall adopt rules to carry out the purposes of this chapter under which the commissioner shall:

A. Certify Issue certificates to teachers, administrators, educational specialists, educational technicians and other professional personnel for service in a public school or in an approved private school, except that certification is not required for

a person holding a valid license as a speech-language pathologist under Title 32, section 17301 who has received ~~approval~~ a clearance pursuant to section 13024 to provide speech-language pathology services in a public school or approved private school;

B. ~~Certify~~ Issue certificates to adult education teachers and other teaching and professional personnel in publicly supported educational programs other than postsecondary school institutions, colleges and universities;

~~C. Authorize educational technicians for service in schools and approve the employment of other semiprofessional personnel;~~

D. ~~Seek a revocation of a certificate or authorization~~ credential in the District Court;

E. ~~Certify or authorize~~ Issue certificates to personnel who provide early childhood educational programs or developmental therapy to children from birth to 5 years of age in the home, in community-based special purpose and integrated programs and in public schools; and

F. ~~Approve~~ Issue a clearance to all individuals for whom certification ~~or authorization~~ is not required prior to being hired or being placed under contract by a public school or a private school that enrolls 60% or more publicly funded students.

**2. Moral character.** Rules adopted by the state board under this chapter must require that an applicant for certification furnish evidence of:

A. Good moral character.

**3. Teacher certificates.** ~~The state board rules shall recognize at least 3 categories of teacher certificates as identified in~~ must establish qualifications for certifying teachers in accordance with sections 13012 to 13014 13012-A and 13013.

**4. Appeal.** An applicant who has been denied the issuance or renewal of a ~~certificate or authorization~~ credential by the commissioner under this chapter may appeal that denial in accordance with rules established by the state board and consistent with the provisions of the Maine Administrative Procedure Act, Title 5, chapter 375.

**5. Administrator certificates.** The state board rules ~~shall~~ must establish qualifications for certifying ~~administrators in accordance with sections 13012-A and 13019-I to be superintendents of schools, building administrators or principals and directors of career and technical education and shall also establish qualifications for such other certificates for~~ administrators as may be determined to be necessary and beneficial for the efficient operation of the schools.

~~**6. Alternative pathways to certification.** The state board shall develop and adopt rules providing a~~

~~method for a person who has not completed an approved educator preparation program as defined under section 13008 to obtain provisional educator certification through an alternative pathway that:~~

~~A. Is designed for candidates who can demonstrate subject matter competency that is directly related to the certificate endorsement being sought and obtained through prior academic achievement or work experience;~~

~~B. May feature an accelerated program of preparation;~~

~~C. Uses mentorship programs that partner teacher candidates with mentor teachers; and~~

~~D. Includes accountability provisions to ensure that teacher candidates demonstrate the knowledge and skills established pursuant to section 13012, subsection 2-B prior to issuance of a provisional teacher certificate.~~

**6-A. Educational specialist certificates.** The state board shall establish qualifications for certifying educational specialists in accordance with sections 13012-A, 13019-G and 13022 and for other educational specialists as may be determined to be necessary and beneficial for the efficient operation of the schools.

**6-B. Educational technician certificates.** The state board shall establish qualifications for certifying educational technicians in accordance with section 13019-H and for other educational technicians as may be determined to be necessary and beneficial for the efficient operation of the schools.

**7. Certification waiver.** Under rules adopted by the state board, the commissioner may grant a waiver for an appropriate period of time to an individual seeking the issuance or renewal of a certificate. The commissioner may grant a waiver to an individual who:

A. Receives allegedly inaccurate, incomplete or untimely information or action from the department, ~~the or from a local or regional support system or a regional support system.~~ The waiver must be for a reasonable period of time to permit the applicant to complete certification requirements; or

B. Demonstrates compliance with certification requirements by professional alternative methods, including the following:

(1) Scores on Graduate Record Examinations demonstrating content area proficiency equal to approved course work, with passing scores established under rules adopted by the state board;

(2) Examinations accepted by state-approved programs in lieu of course work, with passing

scores established under rules adopted by the state board;

(3) Examinations from professional testing corporations demonstrating content area proficiency equal to approved course work, with professional testing corporations approved by the state board and passing scores established under rules adopted by the state board; and

(4) Work experience equivalent to outcomes for approved course work and a formal recommendation from the state professional organization in that content area. The professional organizations are established under rules adopted by the state board. The waiver is for the duration of the certificate or endorsement sought.

The commissioner may not grant a waiver to an individual who is seeking an endorsement for special education.

**8. Criminal history record checks.** Criminal history record checks of an applicant for ~~certification, authorization, approval or renewal~~ a credential, including renewals, must be conducted in accordance with this section, section 6103 and pursuant to rules adopted by the state board. ~~Rules adopted pursuant to this subsection are minor technical rules in accordance with Title 5, chapter 375, subchapter II A.~~

**9. Targeted need area certificate; exception.** ~~The state board shall adopt rules that establish criteria under which a targeted need area certificate may be issued. This certificate may be issued only to a person holding a bachelor's degree and teaching in a teacher shortage area. The teacher shortage area is determined by the commissioner. Rules adopted pursuant to this subsection are major substantive rules in accordance with Title 5, chapter 375, subchapter 2 A. Any amendment to the rules adopted pursuant to this subsection that revises the qualifications for a targeted need area certificate does not apply to a person who was issued a targeted need area certificate prior to or during the school year preceding the adoption of revisions to the original rules as long as the holder of the targeted need area certificate completes within 3 years the required course work and testing as determined by the department for the school year preceding the adoption of revised rules.~~

**10. Conditional certificate; transitional endorsement; exception.** A conditional certificate is a certificate for teachers and educational specialists who have not met all of the requirements for a provisional or professional certificate. A school administrative unit may employ a conditionally certified teacher or educational specialist who is in the process of becoming professionally certified notwithstanding the availability of provisionally or professionally certified teachers or educational specialists. Any amendment to

~~the rules adopted pursuant to this chapter that revises the qualifications for a conditional certificate or transitional endorsement does not apply to a person who was issued a conditional certificate or transitional endorsement prior to or during the school year preceding the adoption of revisions to the rules as long as the holder of the conditional certificate or transitional endorsement completes within 3 years the required course work and testing as determined by the department for the school year preceding the adoption of revised rules.~~

**Sec. 10. 20-A MRSA §13012**, as amended by PL 2011, c. 635, Pt. B, §4, is repealed.

**Sec. 11. 20-A MRSA §13012-A** is enacted to read:

**§13012-A. Conditional certificate**

**1. Conditional certificate.** The commissioner may issue a conditional certificate to:

A. An individual who has not met all of the requirements for a certificate as set forth in section 13013, 13019-I, 13019-G or 13022.

B. An individual who is eligible for an endorsement to teach in a teacher shortage area as determined by the commissioner; or

C. A holder of a professional teacher certificate under section 13013 who is transitioning to another endorsement;

**2. Term.** A conditional certificate is issued for a 3-year period and may not be renewed.

**3. Employment.** A school administrative unit may employ a conditionally certified individual who is in the process of becoming professionally certified notwithstanding the availability of professionally certified teachers or educational specialists.

**4. Requirements.** If a school administrative unit employs a conditionally certified teacher or educational specialist, the school administrative unit shall for at least the first year of employment or longer if determined to be necessary:

A. Ensure that the conditionally certified teacher or educational specialist receives high-quality professional development that is sustained, intensive and classroom-focused in order to have a positive and lasting impact on classroom instruction while teaching; and

B. Provide a program of intensive supervision for the conditionally certified teacher or educational specialist that consists of structured guidance and regular ongoing support or a mentoring program, which is separate from any student-teacher requirement that may be required under another authority.

**5. Program review.** The commissioner may conduct a program review of any program developed or administered by a school administrative unit to meet the requirements of subsection 4.

**Sec. 12. 20-A MRS §13013**, as amended by PL 2001, c. 534, §4, is further amended to read:

**§13013. Professional teacher certificate**

**1. Definition.** A professional teacher certificate is a renewable certificate issued to an individual who ~~has held a provisional certificate and~~ has met the qualifications of this section, ~~except as provided in subsection 2-A, paragraphs B and D.~~

**2-A. Qualifications.** ~~State board rules governing the qualifications for a professional teacher certificate must require that the certificate may only be issued to an applicant who, at a minimum, either:~~

~~A. Holds a provisional teacher certificate and has taught in a classroom for 2 academic years or has held a professional teacher certificate that has lapsed within the last 5 years. In this case, an applicant must receive a recommendation to the commissioner by an approved support system pursuant to section 13015;~~

~~B. Is a teacher with 5 or more years of experience teaching within the 7 years prior to application in the State under a valid certificate in another state and who has graduated from a state approved preparation program that utilizes the standards of a national association of state directors of teacher education and certification or a national council for accreditation of teacher education or a national board certificate issued by the National Board for Professional Teaching Standards, or its successor organization, or, with the exception of the national teachers exam, meets entry level standards for the endorsement;~~

~~C. Holds a provisional teacher certificate issued pursuant to section 13012, subsection 2-A, paragraph D and has taught for at least one year under a provisional teacher certificate; or~~

~~D. Is seeking to hold only adult education or from birth to under age 6 endorsements.~~

**2-B. Qualifications.** State board rules governing the qualifications for a professional teacher certificate must require that the certificate may be issued only to an applicant who, at a minimum, meets one of the following:

A. Has graduated from an educator preparation program and has passed a qualifying exam;

B. Can demonstrate subject matter competency obtained through work experience that is directly related to any endorsements being sought and has held a conditional certificate under section 13012-A for 3 years, unless the applicant is seek-

ing only an endorsement for middle school and secondary school, in which case the applicant is not required to have held a conditional certificate;

C. Has successfully completed a preparation program in a state with which the State is participating in an interstate compact, subject to the following:

(1) Completion of an approved preparation program for the endorsement or certificate being sought with a formal recommendation for certification from the institution; or

(2) In the 5 years prior to applying for certification in this State, the applicant has 3 years of successful teaching experience under a valid comparable certificate in a state with which the State is participating in the interstate compact.

If advanced study or tests are required in the State, the commissioner has the right, as specified in the interstate compact, to issue only a conditional certificate under section 13012-A; or

D. Is otherwise qualified by having met the criteria established by the state board for teaching in a specified area.

**3. Endorsements.** ~~The A~~ professional teacher certificate ~~shall must~~ be issued with an endorsement ~~which that~~ specifies the grades and subject area ~~which that~~ the teacher is deemed qualified to teach. A holder of a professional teacher certificate may not teach outside ~~his or her~~ the certificate holder's area of endorsement unless ~~he or she~~ the certificate holder has received a waiver from the commissioner in accordance with state board rules.

**4. Five-year certificate.** A professional teacher certificate ~~shall be is~~ issued for a 5-year period ~~and may be renewed in accordance with section 13016.~~

**5. Renewal.** A professional teacher certificate may be renewed for 5-year periods in accordance with state board rules, which must require, at a minimum, that the teacher, whether employed or unemployed, complete at least 6 semester hours of professional or academic study or in-service training designed to improve the performance of the teacher in the field. If the teacher has attained certification from the National Board for Professional Teaching Standards, the renewal period is for 10 years.

**Sec. 13. 20-A MRS §13014**, as amended by PL 1985, c. 797, §49, is repealed.

**Sec. 14. 20-A MRS §13015**, as amended by PL 1999, c. 238, §1, is repealed.

**Sec. 15. 20-A MRS §13016**, as amended by PL 2011, c. 669, §8, is repealed.

**Sec. 16. 20-A MRSA §13017-A**, as enacted by PL 1993, c. 200, §3, is repealed.

**Sec. 17. 20-A MRSA §13018**, as amended by PL 1985, c. 287, §4, is repealed.

**Sec. 18. 20-A MRSA §13019**, as enacted by PL 1983, c. 845, §4, is amended to read:

**§13019. Visiting international teacher**

**1. Clearance.** ~~A visiting teacher permit is designed to allow those who do not intend to enter the teaching profession full time to offer their special expertise to schools from a country other than the United States who is participating in a visiting teacher program established and administered by the department or a locally established sister-school exchange may teach in a school as long as the teacher is issued a clearance by the department. The visiting teacher shall be authorized to act as an adjunct to existing staff and shall may not be used to avoid the hiring of professional, certified teachers.~~

**2. Qualifications.** ~~A visiting teacher permit shall be issued for a limited period in accordance with state board rules.~~

**Sec. 19. 20-A MRSA §13019-A**, as amended by PL 2001, c. 534, §§5 and 6, is repealed.

**Sec. 20. 20-A MRSA §13019-B**, as amended by PL 2001, c. 534, §§7 and 8, is repealed.

**Sec. 21. 20-A MRSA §13019-C**, as amended by PL 2011, c. 679, §26, is repealed.

**Sec. 22. 20-A MRSA §13019-D**, as corrected by RR 1991, c. 2, §67, is repealed.

**Sec. 23. 20-A MRSA §13019-E**, as enacted by PL 1985, c. 287, §5, is repealed.

**Sec. 24. 20-A MRSA §13019-F**, as amended by PL 2005, c. 152, §§3 and 4, is repealed.

**Sec. 25. 20-A MRSA §§13019-G to 13019-I** are enacted to read:

**§13019-G. Educational specialist certificate**

**1. Requirement.** An educational specialist certificate is required for employment as an educational specialist at a public school or a private school approved for attendance purposes pursuant to section 2901, subsection 2, paragraph B.

**2. Qualifications.** The state board shall adopt rules establishing the qualifications for an educational specialist certificate.

**3. Endorsements.** The educational specialist certificate must be issued with an endorsement that specifies the work area for which the individual is determined to be qualified. A holder of an educational specialist certificate may not work outside the holder's area of endorsement.

**4. Certificate renewal.** An educational specialist's certificate is issued for a 5-year period and may be renewed in accordance with state board rules, which must require, at a minimum, that the educational specialist, whether employed or unemployed, complete at least 6 semester hours of professional or academic study or the equivalent or in-service training designed to improve the performance of the educational specialist in the field.

**§13019-H. Educational technician certificate**

**1. Requirement.** An educational technician certificate is required for employment as an educational technician at a public school or a private school approved for attendance purposes pursuant to section 2901, subsection 2, paragraph B, if the employed individual will:

A. Introduce new learning plans developed in consultation with the classroom teacher or appropriate content specialist; and

B. Supervise small groups of students in community-based programs.

**2. Qualifications.** The state board shall adopt rules establishing the qualifications and supervision for an educational technician certificate.

**3. Certificate renewal.** An educational technician certificate is issued for a 5-year period and may be renewed in accordance with state board rules, which must require, at a minimum, that the educational technician, whether employed or unemployed, complete at least 3 semester hours of professional or academic study or the equivalent or in-service training designed to improve the performance of the educational technician in the field.

**§13019-I. Administrator certificate**

**1. Requirement.** An administrator's certificate is required for employment as an administrator at a school administrative unit in the State, at a public school or at a private school approved for attendance purposes pursuant to section 2901, subsection 2, paragraph B.

**2. Qualifications.** State board rules governing the qualifications for an administrator certificate must require that the certificate may be issued only to an applicant who at a minimum:

A. Has at least 3 years of satisfactory teaching experience or the equivalent;

B. Has academic and professional knowledge as demonstrated through the completion of required graduate or undergraduate courses or programs, performance in examinations or completion of specialized programs approved for this purpose;

C. Has a basic level of knowledge in competency areas determined by the state board; and

D. Has satisfactorily completed an approved internship or practicum relating to the duties of an administrator.

**3. Certificate renewal.** An administrator's certificate is issued for a 5-year period and may be renewed in accordance with state board rules, which must require, at a minimum, that the administrator, whether employed or unemployed, complete at least 6 semester hours of professional or academic study or the equivalent or in-service training designed to improve the performance of the administrator in the field.

**4. Endorsements.** The administrator certificate must be issued with an endorsement that specifies the work area for which the individual is determined to be qualified. A holder of an administrator certificate may not work outside the holder's area of endorsement unless permitted under rules established by the state board. This includes the following areas:

A. Employment as a superintendent of a school administrative unit in the State;

B. Employment as a building administrator or principal of a public school or as chief administrator of a private school approved for attendance purposes pursuant to section 2901, subsection 2, paragraph B; and

C. Employment as any other administrator as may be determined by the state board to be necessary and beneficial for the efficient operation of the schools.

**Sec. 26. 20-A MRSA §13021**, as amended by PL 1985, c. 287, §6, is repealed.

**Sec. 27. 20-A MRSA §13023**, as amended by PL 2015, c. 395, §8, is repealed.

**Sec. 28. 20-A MRSA §13024**, as amended by PL 2005, c. 662, Pt. A, §§38 to 40, is further amended to read:

**§13024. Clearance for person paid to work in school**

**1. Clearance.** A person paid to work in a school in a position that does not require certification ~~or authorization~~ must be issued ~~an approval~~ a clearance by the department. This section applies to:

A. Personnel employed in a public school or an approved private school as regular or substitute employees;

B. Personnel in a private school that enrolls more than 60% of its students at public expense;

C. Personnel employed by or serving the school administrative unit as contracted service providers; and

D. Personnel for whom certification ~~or authorization~~ is not required prior to being hired or being

placed under contract by a public school or an intermediate educational unit.

**2. Qualifications.** The commissioner shall adopt rules to define the function, eligibility, term and renewal of the ~~approval~~ clearance under subsection 1. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

~~**3. Fees.** The commissioner shall assess fees for approvals under subsection 1. The fee is \$15 for the initial approval and for renewal.~~

**Sec. 29. 20-A MRSA §13025**, as enacted by PL 2013, c. 167, Pt. D, §1, is amended to read:

**§13025. Investigations**

When conducting an investigation relating to the ~~certification of teachers and other professional credentialing of~~ personnel under ~~chapter 501 and~~ this chapter and rules of the state board, the commissioner may issue subpoenas for education records relevant to that investigation.

**Sec. 30. 20-A MRSA §13032**, as amended by PL 2001, c. 471, Pt. A, §24, is further amended to read:

**§13032. Qualifying examination**

~~The provisional~~ A professional teacher certificate may ~~only~~ be issued only to those applicants who have taken ~~and passed~~ the teacher qualifying examination. ~~The examination may be administered in separate parts and may be taken by applicants for provisional teacher certificates at any time after completion of the sophomore year of attendance at a post secondary higher education institution. The examination must test the applicant in the following area: This limitation does not apply to applicants seeking a certificate under section 13013, subsection 2-B, paragraph B, but such applicants must meet any exam requirement necessary for the endorsement being sought.~~

~~**4. Basic skills.** Basic skills, which include reading, writing and mathematics.~~

The applicant is responsible for the costs associated with taking the teacher qualifying examination.

**Sec. 31. 20-A MRSA §13034**, as enacted by PL 1983, c. 859, Pt. I, §§2 and 3, is repealed.

**Sec. 32. 20-A MRSA §13035-A**, as enacted by PL 1999, c. 569, §3 and affected by §6, is repealed.

**Sec. 33. 20-A MRSA §13036**, as enacted by PL 1983, c. 859, Pt. I, §§2 and 3, is repealed.

**Sec. 34. 20-A MRSA §13037**, as enacted by PL 1999, c. 569, §4 and affected by §6, is repealed.

**Sec. 35. 20-A MRSA §13038**, as enacted by PL 1999, c. 569, §4 and affected by §6, is repealed.

**Sec. 36. 20-A MRSA §13201, first ¶**, as amended by PL 2011, c. 172, §2 and affected by §4, is further amended to read:

The superintendent shall nominate all teachers, subject to such regulations governing salaries and the qualifications of teachers as the school board makes. Upon the approval of nominations by the school board, the superintendent may employ teachers so nominated and approved for such terms as the superintendent determines proper, subject to the approval of the school board. ~~The superintendent, subject to the approval of the school board, shall implement a program to support probationary teachers pursuant to section 13015.~~ Prior to May 15th before the expiration of a first, 2nd or 3rd year probationary teacher's contract, the superintendent shall notify the teacher in writing of the superintendent's decision to nominate or not nominate that teacher for another teaching contract. If, after receiving a complaint from a teacher, the commissioner finds that the superintendent has failed to notify a teacher of a decision not to nominate that teacher, the school administrative unit shall pay a forfeiture to the teacher. The amount of that forfeiture must be equal to the teacher's per diem salary rate times the number of days between the notification deadline and the date on which notification is made or on which the complaint is filed, whichever occurs first. In case the superintendent of schools and the school board fail to legally elect a teacher, the commissioner has the authority to appoint a substitute teacher who serves until such election is made.

**Sec. 37. 20-A MRSA c. 511**, as amended, is repealed.

**Sec. 38. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 20-A, chapter 501, in the chapter headnote, the words "certification and registration of teachers" are amended to read "credentialing of teachers" 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 20-A, chapter 502, in the chapter headnote, the words "certification of educational personnel" are amended to read "credentialing of educational personnel" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

**Sec. 40. Application.** A certificate, approval or authorization issued pursuant to the Maine Revised Statutes, Title 20-A, chapters 501, 502 and 502-A before the effective date of this Act is valid until the termination date of the certificate, approval or authorization.

**Sec. 41. Effective date.** This Act takes effect on July 1, 2018.

Effective July 1, 2018.

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## CHAPTER 236

### H.P. 363 - L.D. 519

#### **An Act To Allow the Storage of Tents, Campers, Trailers and Other Devices Used for Camping in Campgrounds in the Unorganized Townships**

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

**Sec. 1. 12 MRSA §685-C, sub-§12** is enacted to read:

**12. Campground storage.** The commission may not limit the number of days a person may store an unoccupied camping device at a lawfully existing camping location within a campground permitted by the commission or a campground that is a nonconforming use. For the purposes of this subsection, "camping device" means a tent, registered tent trailer, registered pickup camper, registered recreational vehicle, registered trailer or similar device lawfully used for camping.

See title page for effective date.

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## CHAPTER 237

### H.P. 541 - L.D. 761

#### **An Act To Increase Access to Hearing Aids**

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

**Sec. 1. 22 MRSA §3174-ZZ** is enacted to read:

**§3174-ZZ. Reimbursement for hearing aids**

**1. Hearing aid; definition.** For purposes of this section, "hearing aid" means a nonexperimental, wearable instrument or device designed for the ear and offered for the purpose of aiding or compensating for impaired human hearing.

**2. Required reimbursement.** The department shall provide reimbursement for a hearing aid for one hearing-impaired ear of an individual enrolled in the MaineCare program in accordance with the following requirements:

A. The hearing loss must be documented by a primary care provider or an audiologist licensed pursuant to Title 32, chapter 137;

B. The hearing aid must be provided by an audiologist or a hearing aid dealer licensed pursuant to Title 32, chapter 137; and

C. The hearing loss must meet the requirements established by the department in rule regarding the individual's severity of hearing loss.

The department shall provide reimbursement for a hearing aid for the 2nd hearing-impaired ear of an individual enrolled in the MaineCare program if the individual meets requirements established by the department by rule regarding the individual's severity of hearing loss, enrollment in school, enrollment in vocational training, employment needs or the needs identified by a primary care provider.

3. Rulemaking. The department shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

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**CHAPTER 238**  
**S.P. 367 - L.D. 1113**

**An Act To Improve  
Antihunger Programs in Maine  
Schools**

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

**Sec. 1. 20-A MRSA §6601-A** is enacted to read:

**§6601-A. National School Lunch Program;  
Internet-based school meal applications**

The department shall make information available to public schools regarding Internet-based applications for eligible students for free or reduced-price meals under the National School Lunch Program under 7 Code of Federal Regulations, Part 210. A public school may make an Internet-based application available for school meal applications. If a public school implements an Internet-based application process under this section, the public school shall make available a paper application for school meals to any student, parent or legal guardian who requests one.

See title page for effective date.

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**CHAPTER 239**  
**H.P. 800 - L.D. 1137**

**An Act To Lower the Age at  
Which a Person May Hunt  
with a Crossbow during Any  
Open Season**

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

**Sec. 1. 12 MRSA §10953, sub-§1-C**, as enacted by PL 2015, c. 42, §1, is amended to read:

**1-C. Hunting with a crossbow; 65 years of age or older.** A person ~~70~~ 65 years of age or older may hunt a wild bird or a wild animal with a crossbow during any open season on that wild bird or wild animal, subject to this Part. A person ~~70~~ 65 years of age or older may hunt deer with a crossbow ~~during a regular archery-only season established under section 11403 or in an expanded archery zone or during the muzzle-loading-only deer hunting season established under section 11404.~~

See title page for effective date.

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**CHAPTER 240**  
**H.P. 874 - L.D. 1251**

**An Act Regarding Certain  
Abandoned Vehicles and  
Notice to the Secretary of State  
Regarding Those Vehicles**

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

**Sec. 1. 29-A MRSA §1854, sub-§1**, as amended by PL 2007, c. 150, §3, is further amended to read:

**1. Notification in writing.** ~~The~~ Except as provided in subsection 1-A, the owner of the premises where an abandoned a vehicle described in section 1851 is located or the owner's agent shall notify the Secretary of State that the owner or the owner's agent is in possession of an abandoned that vehicle. The notification must be in writing and on a form provided by the Secretary of State.

**Sec. 2. 29-A MRSA §1854, sub-§1-A** is enacted to read:

**1-A. Notification in writing; auto repair and storage facilities.** The owner of the premises where a vehicle described in section 1851, subsection 5 or 7 is stored or the owner's agent shall notify the Secretary of State that the owner or the owner's agent is in possession of the vehicle within 14 days after the earliest date on which the vehicle owner is responsible for any

unpaid charges for authorized repair or for storage and any related towing expenses incurred by the owner or the owner's agent. The notification must be in writing and on a form provided by the Secretary of State.

**Sec. 3. 29-A MRSA §1854, sub-§2**, as amended by PL 2007, c. 150, §4, is further amended to read:

**2. Contents of notification.** This A notification under this section must include the vehicle's make, model, year, body type, vehicle identification number and any registration and plates on the vehicle. This notification also must include the date the vehicle came into possession of the owner, the owner's agent or person in charge of the premises where the vehicle is located, under what circumstances the vehicle came into that person's possession and whether the vehicle is salvage.

**Sec. 4. 29-A MRSA §1854, sub-§3**, as amended by PL 2009, c. 435, §21, is further amended to read:

**3. Response.** On receipt of ~~the~~ a notification under this section, the Secretary of State shall inform the vehicle owner and lienholder, if any, by regular mail that the vehicle is being claimed under the abandoned vehicle law. The notice to the vehicle owner and lienholder, if any, must identify the vehicle by the year, make, model and vehicle identification number, give the name and address of the party claiming ownership, state the charges against the vehicle that the owner and lienholder, if any, must pay to retrieve the vehicle, and the date that the title or letter of ownership will pass to the new owner. If the party is claiming ownership of the vehicle pursuant to section 603, subsection 6, the notice must inform the vehicle owner and lienholder that the owner must pay to the Secretary of State the fee required in section 603 to transfer the title. A copy of this letter must be provided to the person claiming ownership.

**Sec. 5. 29-A MRSA §1856, sub-§1**, as amended by PL 2011, c. 46, §3, is further amended to read:

**1. Evidence of compliance.** A person who has complied with section 1854, subsection 4 shall present evidence of compliance to the Secretary of State immediately after the 14-day notice period. The Secretary of State may not issue a letter of ownership or certificate of title until at least 21 days after the date on which the person who has possession of and control over the vehicle notified the Secretary of State by complying with section 1854, ~~subsections~~ subsection 1 or 1-A and section 1854, subsection 2.

**Sec. 6. 29-A MRSA §1857**, as amended by PL 2011, c. 46, §4, is further amended to read:

### §1857. Limits

If the notification to the Secretary of State required by section 1854 is made more than 14 days after receipt of a vehicle described in section 1851 or if notification is not submitted to the Secretary of State, the person holding the vehicle may not collect more than 14 days of storage fees. Daily storage charges must be reasonable and total storage charges may not exceed \$900 for a 30-day period.

See title page for effective date.

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## CHAPTER 241

### H.P. 960 - L.D. 1381

#### An Act To Clarify Appeals of Municipal Land Use Decisions

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

**Sec. 1. 30-A MRSA §2691, sub-§3, ¶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. The board may provide, by regulation ~~which shall~~ that must be recorded by the secretary, for any matter relating to the conduct of any hearing, ~~provided~~ except that the chair may waive any regulation upon good cause shown. Unless otherwise established by charter or ordinance, the board shall conduct a de novo review of any matter before the board subject to the requirements of paragraph D. If a charter or ordinance establishes an appellate review process for the board, the board shall limit its review on appeal to the record established by the board or official whose decision is the subject of the appeal and to the arguments of the parties. The board may not accept new evidence as part of an appellate review.

**Sec. 2. 30-A MRSA §2691, sub-§3, ¶F**, as amended by PL 2003, c. 635, §1, is further amended to read:

F. The board may reconsider any decision reached under this section within 45 days of its prior decision. A request to the board to reconsider a decision must be filed within 10 days of the decision that is to be reconsidered. A vote to reconsider and the action taken on that reconsideration must occur and be completed within 45 days of the date of the vote on the original decision. The board may conduct additional hearings and receive additional evidence and testimony as provided in this subsection.

Notwithstanding paragraph G, appeal of a reconsidered decision must be made within 15 days af-

ter the decision on reconsideration or within the applicable time period under section 4482-A if the final municipal review of the project is by a municipal administrative review board other than a board of appeals.

**Sec. 3. 30-A MRSA §2691, sub-§3, ¶H** is enacted to read:

H. For purposes of this section, a decision of the board is a final decision when the project for which the approval of the board is requested has received all required municipal administrative approvals by the board, the planning board or municipal reviewing authority, a site plan or design review board, a historic preservation review board and any other review board created by municipal charter or ordinance. If the final municipal administrative review of the project is by a municipal administrative review board other than a board of appeals, the time for appeal is governed by section 4482-A. Any denial of the request for approval by the board of appeals is considered a final decision even if other municipal administrative approvals are required for the project and remain pending. A denial of the request for approval by the board of appeals must be appealed within 45 days of the date of the board's vote to deny or within 15 days of final action by the board on a reconsideration that results in a denial of the request.

**Sec. 4. 30-A MRSA §4482, sub-§3** is enacted to read:

**3. Final decision.** A party may not file an appeal of a significant municipal land use decision under this section until the decision is a final decision pursuant to section 2691, if the decision is by a board of appeals, or pursuant to section 4482-B, if the decision is by a municipal administrative review board other than a board of appeals.

**Sec. 5. 30-A MRSA §4482-A** is enacted to read:

**§4482-A. Review of other municipal land use decisions**

This section governs the review process for a municipal land use decision that is not a significant municipal land use decision under section 4482, except as provided in section 4482, subsection 3, or a decision of a board of appeals under section 2691.

**1. Filing of appeal.** A party may file an appeal with the Superior Court of a municipal land use decision subject to this section that is a final decision within 30 days of the date of the vote on the final decision, except that the time period for filing an appeal under this subsection may be extended by the court upon motion for good cause shown. The hearing on

an appeal filed pursuant to this section before the Superior Court must be conducted without a jury.

**2. Final decision.** A party may not file an appeal of a municipal land use decision subject to this section until the decision is a final decision pursuant to section 4482-B.

**Sec. 6. 30-A MRSA §4482-B** is enacted to read:

**§4482-B. Finality of municipal land use decision**

For the purposes of this chapter and except as provided in section 2691, a municipal land use decision is a final decision when an application for a project requiring the approval of one or more municipal boards has received all required municipal administrative approvals by the board of appeals, the planning board or municipal reviewing authority, a site plan or design review board, a historic preservation review board and any other review board created by municipal charter or ordinance. An appeal may not be filed under this section prior to the review and final approval of a project by each applicable municipal administrative review board, except that a denial of an application by a municipal administrative review board is considered a final decision even if other municipal administrative approvals are required for the project and remain pending. An appeal of the denial under this chapter must be in accordance with the requirements of the Maine Rules of Civil Procedure, Rule 80B.

**Sec. 7. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 30-A, chapter 190, in the chapter headnote, the words "judicial review of significant municipal land use decision" are amended to read "judicial review of municipal land use decisions" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

See title page for effective date.

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**CHAPTER 242**

**H.P. 1006 - L.D. 1456**

**An Act To Return the Duties of  
the State Compensation  
Commission To Make  
Recommendations for the  
Salaries of the Governor and  
Judges**

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

**Sec. 1. 3 MRSA §2-B, sub-§1**, as enacted by PL 1997, c. 506, §1, is amended to read:

**1. State Compensation Commission; membership.** The State Compensation Commission, established in Title 5, section 12004-G, subsection 26-D and referred to in this section as the "commission," consists of 5 members appointed in January of every odd-numbered year at the first regular session of each Legislature as follows:

- A. Two members, ~~not from the same political party,~~ appointed by the President of the Senate;
- B. Two members, ~~not from the same political party,~~ appointed by the Speaker of the House; and
- C. One member appointed by a majority of the members appointed under paragraphs A and B, who serves as chair of the commission.

The 5 members must be residents of the State and appointed from the public. A person may not be appointed who is currently or has previously been a Legislator or a legislative employee at the time of appointment.

All members must be appointed for a term to coincide with the legislative biennium. A vacancy must be filled in the same manner as the original appointment for the balance of the unexpired term.

The members of the commission are entitled to a per diem, expenses and allowances at the same rate as Legislators.

**Sec. 2. 3 MRSA §2-B, sub-§2,** as amended by PL 1999, c. 2, §1, is further amended to read:

**2. Duties of commission.** ~~The commission must issue its first report no later than April 15, 1999. No later than May 1st of every odd-numbered year and January 1st 15th of every even-numbered year thereafter, the commission shall submit to the Legislature a an interim report of the commission. The, and no later than November 15th of every even-numbered year the commission shall submit to the Legislature a final report of the commission. In the 3rd year of each gubernatorial term of office, the interim report must contain a recommendation for compensation of the Governor as established in Title 2, section 1. A report under this subsection must contain:~~

- A. A description of the commission's activities;
- B. The recommendations of the commission ~~for all regular and special sessions of the next Legislature concerning:~~

~~(1) Compensation of Legislators and representatives of Indian tribes, including, but not limited to, all payments for: salaries, meals, housing, travel, mileage and all other expenses and allowances; additional service as President of the Senate, as Speaker of the House or as a member of leadership; and for constituent services; and~~

(1-A) For the report required in the 3rd year of a gubernatorial term, for compensation for the Governor, including all payments for salaries, meals, housing, travel, mileage, constituent services and all other expenses and allowances;

(1-B) For compensation for justices and judges, including all payments for salaries, meals, housing, travel, mileage and all other expenses and allowances, and for additional services by any justice or judge. Nothing in this subparagraph prevents the judicial branch from making recommendations to the Governor or Legislature for compensation for justices and judges, including, but not limited to, recommendations made by the Chief Justice of the Supreme Judicial Court in preparing the budget of the judicial branch as required by Title 4, section 1; and

(1-C) For compensation of Legislators, representatives of Indian tribes, Secretary and Assistant Secretary of the Senate and Clerk and Assistant Clerk of the House of Representatives, including all payments for salaries, meals, housing, travel, mileage, constituent services and all other expenses and allowances, and for additional services by the President of the Senate, Speaker of the House of Representatives and members of legislative leadership;

~~(2) Compensation for the Attorney General, the Secretary of State, the Treasurer of State and the State Auditor;~~

- C. The reasons for its recommendations;
- D. Drafts of any legislation required to implement its recommendations; and
- E. Any other material and recommendations that commission members may wish to submit.

Before reporting as required in this subsection and subsequent to giving public notice, the commission shall hold a public hearing on the report. Subsequent to reporting, the commission shall meet, if requested, with the Governor, the Legislative Council and legislative committees to discuss the report.

**Sec. 3. 4 MRSA §1701,** as amended by PL 2013, c. 563, §2, is repealed.

**Sec. 4. 5 MRSA §12004-G, sub-§23-A,** as enacted by PL 1995, c. 451, §2, is repealed.

See title page for effective date.

**CHAPTER 243**  
**H.P. 1118 - L.D. 1619**

**An Act To Report Limited  
Information to the Controlled  
Substances Prescription  
Monitoring Program  
Concerning Methadone**

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

**Sec. 1. 5 MRSA §20047, sub-§3** is enacted to read:

**3. Medical emergency; methadone.** Notwithstanding subsection 1, records relating to methadone treatment of a patient for the treatment of opioid dependency that have been entered into the Controlled Substances Prescription Monitoring Program established under Title 22, section 7248 may be disclosed in an emergency setting only to the extent necessary to meet a bona fide medical emergency in which the patient's prior informed consent cannot be obtained and only to the health care professionals involved in treating the patient. Any disclosure of records pursuant to this subsection must be documented as described in Title 22, section 7250, subsection 7.

**Sec. 2. 22 MRSA §7249-A** is enacted to read:

**§7249-A. Reporting of methadone treatment with consent**

**1. Consent form; methadone treatment.** The department shall develop a consent form to be presented to every patient receiving treatment at any facility that provides methadone for the treatment of opioid dependency. The form records the patient's identifying information along with consent to enter the name of the patient's methadone treatment facility and dosage information into the program. The form must be available to the facility for use in paper or electronic form. The contents of the form may be disclosed only in a medical emergency as described in section 7250, subsection 7. The patient may decline consent.

**2. Treatment facility to enter information into the program.** For a patient who has provided consent pursuant to subsection 1, a prescriber or the prescriber's designee at a facility that provides methadone for the treatment of opioid dependency shall enter the patient's identifying information along with the name of the methadone treatment facility and the dosage information into the program. Dosage information must be entered at the beginning of treatment, after the first 90 days of treatment and every 180 days after that. If a patient ceases treatment or moves to a different facility, the patient's methadone treatment facility must notify the program within 30 days of that change in status.

**3. Renewal of consent form.** A facility that provides methadone for the treatment of opioid dependency must provide a new consent form under subsection 1 to a patient annually and renew that patient's consent. The patient may choose to decline consent or void consent at any time.

**Sec. 3. 22 MRSA §7250, sub-§7** is enacted to read:

**7. Disclosure of methadone treatment in a medical emergency; documentation.** Records entered pursuant to section 7249-A may be disclosed in an emergency setting only to the extent necessary to meet a bona fide emergency in which the patient's prior informed consent cannot be obtained and only to the health care professionals involved in treating the patient. These records may not be disclosed in any other circumstances, including to prescribers using the program to enter or check information outside of the medical emergency. Records disclosed pursuant to this subsection may not be used to initiate or substantiate any criminal charges against a patient or to conduct any criminal investigation. Any disclosure pursuant to this subsection is subject to 42 Code of Federal Regulations, Section 2.32 and the following requirements.

**A.** The disclosure must be documented by the health care professional involved in treating the patient and entered into the program and communicated to the patient's methadone treatment facility. The documentation must include the date and time of the disclosure, the nature of the patient's emergency, the name of the facility or the hospital where the disclosure occurred and the names of the health care professionals who accessed the records.

**B.** Any disclosure must include a statement that informs the health care professionals accessing the program that federal law prohibits the health care professionals from making further disclosures that identify the patient without the specific written consent of the patient.

**Sec. 4. Enhancement of the Controlled Substances Prescription Monitoring Program.** The Department of Health and Human Services shall submit a contract amendment to provide for an enhancement of the Controlled Substances Prescription Monitoring Program under Title 22, chapter 1603. This enhancement must allow a facility that provides methadone for the treatment of opioid dependency to enter the name of the methadone treatment facility treating a patient and the dosage information for a patient who has given consent. The information may not be accessible except to health care professionals during an emergency to the extent necessary to meet a bona fide emergency in which the patient's prior informed consent cannot be obtained. Any disclosure in an emergency setting must be entered into the pro-

gram, including the date and time of the disclosure, the nature of the patient's emergency, the name of the facility or hospital where the disclosure occurred and the names of the health care professionals who accessed the records in the program. The department shall convene stakeholders to advise the department on the criteria for the enhancement of the program. Stakeholders must include representatives from methadone treatment clinics and providers of emergency services. The enhancement of the program must meet the requirements of the Maine Revised Statutes, Title 22, section 7250, subsection 7. The department shall, no later than January 30, 2018, provide a report to the Joint Standing Committee on Health and Human Services describing progress on implementing the enhancement required pursuant to this section.

**Sec. 5. Contingent effective date.** Those sections of this Act that enact the Maine Revised Statutes, Title 5, section 20047, subsection 3, Title 22, section 7249-A and Title 22, section 7250, subsection 7 take effect once the enhancement of the Controlled Substances Prescription Monitoring Program pursuant to section 4 of this Act is implemented. The Department of Health and Human Services shall notify the Revisor of Statutes that section 4 has been implemented.

**Sec. 6. Consent form.** A facility that provides methadone for the treatment of opioid dependency must provide a consent form as described in the Maine Revised Statutes, Title 22, section 7249-A for every patient no later than 180 days after the effective date of this Act.

See title page for effective date, unless otherwise indicated.

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## CHAPTER 244

### H.P. 189 - L.D. 256

#### An Act To Ensure Continued Availability of High-speed Broadband Internet at Maine's Schools and Libraries

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

**Sec. 1. 35-A MRSA §7104-B, sub-§2,** as amended by PL 2011, c. 623, Pt. B, §20, is further amended to read:

**2. Authority.** Pursuant to the authority granted in section 7104 and in order to carry out the policy goals established by section 7101, subsections 1, 2 and 4, the commission shall establish a telecommunications education access fund, referred to in this section as the "fund," and require all voice network service providers providing service in the State ~~and any other~~

~~entities identified by the commission~~ to contribute to the fund. The fund must be available, with any accumulated interest, to qualified libraries, qualified schools and the Raymond H. Fogler Library at the University of Maine to assist in paying the costs of acquiring and using advanced telecommunications technologies.

**Sec. 2. 35-A MRSA §7104-B, sub-§2-A,** as enacted by PL 2011, c. 600, §6 and affected by §10, is amended to read:

**2-A. Determination of amount of prepaid wireless telecommunications service fee.** The commission shall determine by rule the amount of the fee on prepaid wireless telecommunications service that is required to be contributed to the fund. ~~The commission shall limit the fee is a fixed amount to no more than 21¢ per retail transaction established by multiplying \$25 by a percentage that is determined by the commission for purposes of calculating contributions to the fund by providers of intrastate telecommunications services.~~ The fee must be rounded to the nearest penny. The fee may not be adjusted by the commission more frequently than once every 24 months. The collection of the fee is governed by section 7104-C. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 3. 35-A MRSA §7104-B, sub-§3,** as amended by PL 2011, c. 623, Pt. B, §§21 to 23, is further amended to read:

**3. Limitations; imposition.** In carrying out the authority granted by subsection 2, the commission shall:

~~A. Limit~~ With respect to the contributions for the fund required from voice network service providers other than prepaid wireless telecommunications service providers, limit the amount collected contributed to no more than 0.7% of retail charges for 2-way voice communications services as determined by the commission, excluding interstate tolls or interstate private line services; 21¢ per month per line or number, assessed as a monthly surcharge, to be levied on:

(1) Residential and business telephone exchange lines, including private branch exchange lines and Centrex lines;

(2) Interconnected voice over Internet protocol service; and

(3) Providers of mobile telecommunications services that are not providers of prepaid wireless telecommunications service.

The surcharge established in this paragraph may not be levied on more than 25 lines or numbers per customer billing account;

B. Ensure that the funds are collected in a competitively neutral manner;

C. Integrate the collection of the ~~charge~~ surcharge with any state universal service fund developed by the commission; and

D. Require, if a voice network service provider recovers its contributions under this section by means of a charge placed on a bill issued to a customer, explicit identification on customer bills of ~~any charge~~ the surcharge imposed under this section.

**Sec. 4. Report.** The Department of Education and the Maine State Library shall jointly submit by January 15, 2018 to the Joint Standing Committee on Energy, Utilities and Technology a report containing the following:

1. A list of all recipients of money from the telecommunications education access fund established pursuant to the Maine Revised Statutes, Title 35-A, section 7104-B, referred to in this section as "the fund"; a description of the goods or services for which money from the fund was received, including the amount of money received by recipients for such goods or services; and whether the goods or services for which money from the fund was received were eligible for reimbursement through the federal E-rate program;

2. A description of the process used by recipients of money from the fund to select vendors for goods or services, including whether there was a competitive bidding process and, if so, whether the competitive bidding process included provisions for services that were compensated with money from a source other than the fund; and

3. A list of qualified schools and qualified libraries pursuant to Title 35-A, section 7104-B, subsection 2 and, with respect to each school or library location, the following information:

- A. The broadband capacity;
- B. The average daily broadband use;
- C. The amount received through the federal E-rate program to provide broadband access; and
- D. The amount received from the fund to provide broadband access.

**Sec. 5. Prepaid wireless telecommunications service fee.** Notwithstanding the prohibition under the Maine Revised Statutes, Title 35-A, section 7104-B, subsection 2-A on the Public Utilities Commission's adjusting the prepaid wireless telecommunications service fee more than once every 24 months, the Public Utilities Commission shall adjust the prepaid wireless telecommunications service fee to con-

form to Title 35-A, section 7104-B, subsection 2-A, as amended by this Act.

See title page for effective date.

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## CHAPTER 245

### S.P. 483 - L.D. 1405

#### An Act To Require Remote Sellers To Collect and Remit Sales and Use Tax on Sales into Maine

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

**Sec. 1. 36 MRSA §1951-B** is enacted to read:

**§1951-B. Collection of tax by remote sellers**

**1. Legislative findings.** The Legislature finds that:

A. The inability to effectively collect the sales or use tax from remote sellers that deliver tangible personal property, a product transferred electronically or a service directly to the citizens of this State is seriously eroding the sales tax base of this State, causing revenue losses and imminent harm to this State through the loss of critical funding for state and local services;

B. Despite the fact that a use tax is owed on tangible personal property, a product transferred electronically or a service delivered for use in this State, many remote sellers actively market sales as "tax free" or "no sales tax" transactions;

C. The structural advantages of remote sellers, including the absence of point-of-sale tax collection, along with the general growth of online retail, could further erode this State's sales tax base in the near future;

D. Remote sellers that make a substantial number of deliveries into or have large gross revenues from Maine benefit extensively from this State's market, including the economy generally and state infrastructure;

E. In contrast with increasing harm caused to the State from the exemption from sales and use tax collection duties for remote sellers, the costs of that collection have fallen. Given modern computing and software options, it is neither unusually difficult nor burdensome for remote sellers to collect and remit sales and use taxes associated with sales into Maine; and

F. The Legislature recognizes that the imposition of this requirement places remote sellers in a complicated position, precisely because existing constitutional doctrine calls the imposition of this

requirement into question. Accordingly, the Legislature intends to clarify that the obligations created by the imposition of this requirement would be appropriately stayed by the courts until the constitutionality of this law has been clearly established by a binding judgment, including, for example, a decision from the Supreme Court of the United States abrogating its existing doctrine or a final judgment applicable to a particular taxpayer.

**2. Legislative intent.** It is the intent of the Legislature to apply the sales and use tax obligations imposed under the laws of this State to the limit of federal and state constitutional doctrines and to thereby clarify that the laws of this State permit the State to immediately argue in any litigation that such constitutional doctrine should be changed to permit the tax collection obligations of this section.

**3. Collection of tax by remote seller.** Notwithstanding any provision of law to the contrary, a person selling tangible personal property, products transferred electronically or services for delivery into this State is subject to the provisions of this Part and shall collect and remit the sales tax imposed pursuant to section 1811 in the same manner as a retailer that has a physical presence in this State if:

A. The person's gross revenue from delivery of tangible personal property, products transferred electronically or services that are taxable by this State into this State in the previous calendar year or current calendar year exceeds \$100,000; or

B. The person sold tangible personal property, products transferred electronically or services that are taxable by this State for delivery into this State in at least 200 separate transactions in the previous calendar year or the current calendar year.

**4. Declaratory judgment action.** Notwithstanding any other provision of law, and regardless of whether the State initiates an audit or other tax collection procedure, the State may bring a declaratory judgment action pursuant to Title 14, chapter 707 against any person the State believes meets the criteria of subsection 3 to establish that the tax collection obligation is applicable and valid under state and federal law. The court shall act on this declaratory judgment action as expeditiously as possible, and the court shall proceed with priority over any other action presenting the same question in any other venue.

**5. Effect of court action on collection of tax; injunction.** During a pending action pursuant to subsection 4, and upon determining that a question is presented regarding the constitutionality of this law, the court, on the State's motion or the court's own initiative, shall enjoin the State from enforcing the obligation in subsection 3 against any person subject to subsection 3 that does not affirmatively consent or other-

wise collect the sales or use tax on a voluntary basis. The injunction does not apply if there is a previous judgment from a court establishing the validity of the obligation in subsection 3 with respect to the particular taxpayer.

**6. Appeal.** Any appeal from a decision with respect to the cause of action established by this section may only be made to the Supreme Judicial Court sitting as the Law Court. The Law Court shall hear and decide the appeal as expeditiously as possible.

**7. No retroactive application of tax.** The obligation to collect and remit the sales and use tax required by this section may not be applied retroactively.

**8. Prospective application of tax following injunction.** If an injunction imposed pursuant to subsection 5 is lifted, the State shall assess and apply the sales or use tax collection obligation only from that date forward with respect to any person covered by the injunction.

**Sec. 2. Effective date.** This Act takes effect October 1, 2017.

See title page for effective date.

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## CHAPTER 246

### H.P. 575 - L.D. 795

#### An Act To Improve Voter Access to Information Regarding Referendum Questions on the Ballot

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

**Sec. 1. 21-A MRSA §651, sub-§2, ¶B,** as enacted by PL 2011, c. 342, §22, is amended to read:

B. Outside the guardrail enclosure at each voting place:

- (1) At least one voting instruction poster prepared under section 605-A;
- (2) One set of sample ballots for each ballot style being used in that voting place;
- (3) A list of any declared write-in candidates for that voting district, with the office sought, next to the sample ballots;
- (4) One voting rights poster or notice prepared under section 605-A;
- (5) One election penalty poster or notice prepared under section 605-A;
- (6) One Treasurer's Statement prepared under Title 5, section 152;

(7) One copy, or more as determined necessary by the clerk, of the citizen's guide to the referendum election prepared under section 605-A. The clerk shall post, in a conspicuous and public area, a notification indicating that the citizen's guide provides helpful information regarding referendum questions on the ballot and where the guide is located in the voting place for voters to read; and

(8) One copy of the Office of Fiscal and Program Review's estimate of the fiscal impact prepared under Title 1, section 353.

See title page for effective date.

## CHAPTER 247 H.P. 469 - L.D. 678

### An Act To Protect Students from Identity Theft

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

Sec. 1. 20-A MRSA §6001-C is enacted to read:

#### §6001-C. Student social security numbers; collection and deletion

1. Collection of social security number. If a school administrative unit, a public school within a school administrative unit or a private school requests a student's social security number, the unit or school shall inform the parent or legal guardian of that student or the student if the student is 18 years of age or older for what purpose the social security number will be used and provide the parent, legal guardian or student if the student is 18 years of age or older the opportunity to opt out of providing the social security number.

2. Deletion of social security number. A school administrative unit, a public school within a school administrative unit or a private school that collects a student's social security number shall delete the student's social security number from the student's records once the student is no longer enrolled in the school administrative unit, the public school within a school administrative unit or private school.

See title page for effective date.

## CHAPTER 248 S.P. 471 - L.D. 1384

### 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 §144, first ¶, as amended by PL 2001, c. 310, §7, is further amended to read:

A voter may change the voter's enrollment ~~anytime~~ after 3 months from the date on which the voter enrolled by filing an application with the registrar personally, by mail or otherwise. When a voter files an application to change enrollment on the day of a primary election, the application is deemed received the following business day.

Sec. 2. 21-A MRSA §144, sub-§1, as amended by PL 2005, c. 453, §26, is further amended to read:

1. **Content of application.** The application must contain the following information: Name of applicant, the date of birth, residence address, ~~voting district, name of party in which enrolled,~~ name of party in which enrollment is requested, signature of the applicant and the date of application.

Sec. 3. 21-A MRSA §145, first ¶, as enacted by PL 1985, c. 161, §6, is amended to read:

A voter may withdraw ~~his~~ the voter's enrollment ~~anytime~~ after 3 months from the date on which ~~he~~ the voter enrolled by filing a written request with the registrar. When a voter files an application to withdraw enrollment on the day of a primary election, the application is deemed received the following business day.

Sec. 4. 21-A MRSA §311, sub-§1, as amended by PL 2005, c. 387, §3, is further amended to read:

1. **Call.** The caucus may be called by the chair or a majority of the members of the municipal committee of a political party. If the municipal committee fails to call a caucus, the county committee may call the caucus. At the request of that committee municipal officers shall provide available space in a public building for a caucus. The municipality may charge a rental fee or janitorial service fee for the available space. A municipality may hold its caucus outside the municipality if several municipalities elect to meet on a consolidated basis or if the committee calling the caucus determines that a facility outside the municipality is more suitable.

Sec. 5. 21-A MRSA §723, sub-§1, ¶A, as amended by PL 2009, c. 253, §38, is further amended to read:

A. A 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.

**Sec. 6. 21-A MRSA §723, sub-§2**, as amended by PL 2009, c. 253, §39, 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 must also comply with ~~either section 722-A or section 737-A, subsection 2-A~~.

**Sec. 7. 21-A MRSA §753-B, sub-§5**, as amended by PL 2011, c. 534, §20, is further amended to read:

**5. Alternate method of balloting by residents of certain licensed facilities.** The municipal clerk shall designate one ~~or more times~~ time during the 30-day period prior to an election during which the municipal clerk shall be present in each licensed nursing home subject to the provisions of Title 22, chapter 405; licensed level IV residential care facility subject to the provisions of Title 22, chapter 1664; and licensed assisted housing living program with more than 6 beds subject to the provisions of Title 22, chapter 1664, in the municipality for the purpose of conducting absentee voting by residents of these facilities. ~~The licensed residential care facilities or assisted housing programs referred to in this subsection are those that are licensed to have 6 or more beds.~~ The clerk shall designate which areas in these facilities constitute the voting place, the voting booth and the guard-rail enclosure. Sections 681 and 682 apply to voting in these facilities within the areas designated by the clerk. As used in this subsection, "level IV residential care facility" means a residential care facility as defined by Title 22, section 7852, subsection 14 that has a licensed capacity of more than 6 residents.

**Sec. 8. 30-A MRSA §757, sub-§2, ¶A**, as repealed and replaced by PL 2013, c. 481, §2, is amended to read:

A. District 1 consists of Isle au Haut, Matinicus Isle Plantation, North Haven, St. George ~~and~~ Friendship ~~and the unorganized territory of Crie-haven~~ and elects one member. The initial term for District 1 expires on December 31, 2016.

**Sec. 9. 30-A MRSA §2528, sub-§4, ¶C**, as amended by PL 1993, c. 608, §6, is further amended to read:

C. Completed nomination papers or certificates of political caucus nomination must be filed with the clerk during business hours by the ~~45th~~ 60th day prior to election day. They must be accompanied by the written consent of the person proposed as a candidate agreeing:

- (1) To accept the nomination if nominated;
- (2) Not to withdraw; and
- (3) If elected at the municipal election, to qualify as such municipal officer.

When these papers and certificates are filed, the clerk shall make them available to public inspection under proper protective regulations. The clerk shall keep them in the office for 6 months.

See title page for effective date.

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## CHAPTER 249

### H.P. 1098 - L.D. 1594

#### An Act Regarding the Dispensing of Naloxone Hydrochloride by Pharmacists

**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 State is facing a crisis due to the rapidly increasing number of opioid-related drug overdose deaths; 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 §2353, sub-§2, ¶¶A-2 and C-2** are enacted to read:

A-2. Until July 1, 2019, a pharmacist may prescribe and dispense naloxone hydrochloride in accordance with protocols established under Title 32, section 13815 to an individual at risk of experiencing an opioid-related drug overdose.

C-2. Until July 1, 2019, a pharmacist may prescribe and dispense naloxone hydrochloride in accordance with protocols established under Title 32, section 13815 to a member of an individual's immediate family or a friend of the individual or to another person in a position to assist the indi-

vidual if the individual is at risk of experiencing an opioid-related drug overdose.

**Sec. 2. 32 MRSA §13815**, as enacted by PL 2015, c. 508, §5, is repealed and the following enacted in its place:

**§13815. Authorization**

**1. Rules for dispensing naloxone hydrochloride.** The board by rule shall establish procedures and standards for authorizing pharmacists to dispense naloxone hydrochloride in accordance with Title 22, section 2353. The rules must establish adequate training requirements and protocols for dispensing naloxone hydrochloride by prescription drug order or standing order or pursuant to a collaborative practice agreement. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. A pharmacist authorized by the board pursuant to this subsection to dispense naloxone hydrochloride may dispense naloxone hydrochloride in accordance with Title 22, section 2353.

**2. Rules for prescribing and dispensing naloxone hydrochloride.** The board by rule shall establish standards for authorizing pharmacists to prescribe and dispense naloxone hydrochloride in accordance with Title 22, section 2353, subsection 2, paragraphs A-2 and C-2. The rules must establish adequate training requirements and protocols for prescribing and dispensing naloxone hydrochloride when there is no prescription drug order, standing order or collaborative practice agreement authorizing naloxone hydrochloride to be dispensed to the intended recipient. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. A pharmacist authorized by the board pursuant to this subsection to prescribe and dispense naloxone hydrochloride may prescribe and dispense naloxone hydrochloride in accordance with Title 22, section 2353, paragraphs A-2 and C-2.

This subsection is repealed July 1, 2019.

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

Effective June 24, 2017.

**CHAPTER 250**

**H.P. 219 - L.D. 286**

**An Act To Promote and Encourage the Sustainability of the Elver Fishery**

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

**Sec. 1. 12 MRSA §6404-H**, as amended by PL 2013, c. 49, §4, is further amended to read:

**§6404-H. Suspension or revocation based on conviction of an elver fishing license offense**

The commissioner shall suspend or revoke a person's eligibility for the elver ~~lotteries~~ lottery under section 6505-A, subsection ~~2-B~~ 2-C if the person is convicted of an offense in violation of section 6505-A, subsection 1.

**1. First offense.** For a first offense, the commissioner shall suspend the person's eligibility for the elver ~~lotteries~~ lottery under section 6505-A, subsection ~~2-B~~ 2-C for one year.

**2. Second offense.** For a 2nd offense, the commissioner shall permanently revoke the person's eligibility for the elver ~~lotteries~~ lottery under section 6505-A, subsection ~~2-B~~ 2-C.

**Sec. 2. 12 MRSA §6505-A, sub-§1-C**, as amended by PL 2013, c. 485, §6, is further amended to read:

**1-C. Elver transaction card issued.** The department may issue an elver transaction card to each license holder under this section and to each license holder under section 6302-A, subsection 3, paragraphs E, E-1, F and G in accordance with section 6302-B. The department may charge each license holder an annual fee for the elver transaction card that may not exceed \$35. Fees collected under this subsection must be deposited in the Eel and Elver Management Fund under section 6505-D. The license holder shall use the elver transaction card to meet electronic reporting requirements established by rule pursuant to section 6173. The elver transaction card must include the license holder's name and license number.

**Sec. 3. 12 MRSA §6505-A, sub-§1-F** is enacted to read:

**1-F. Licenses issued.** The commissioner may issue up to 425 elver fishing licenses each year under this section.

**Sec. 4. 12 MRSA §6505-A, sub-§2, ¶F**, as enacted by PL 2011, c. 549, §3, is amended to read:

F. Becomes eligible to obtain an elver fishing license pursuant to the elver ~~lotteries~~ lottery under subsection ~~2-B~~ 2-C.

**Sec. 5. 12 MRSA §6505-A, sub-§2-B**, as amended by PL 2013, c. 301, §9, is repealed.

**Sec. 6. 12 MRSA §6505-A, sub-§2-C** is enacted to read:

**2-C. Elver license lottery.** The commissioner shall establish an elver fishing license lottery under which a person may become eligible for that license under subsection 2, paragraph F. An applicant to the lottery must submit a lottery application together with

a \$35 nonrefundable application fee no later than January 15th of the same calendar year as the lottery. An applicant may not submit more than 5 elver fishing license lottery applications per lottery year. In any year in which a lottery is held, the lottery must be held on or before February 15th.

The commissioner may adopt rules to implement the elver fishing license lottery, including provisions for the method and administration of the lottery. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Twenty-five dollars of the application fee collected under this subsection must be deposited in the Eel and Elver Management Fund established in section 6505-D and used to fund a life-cycle study of the elver fishery. Ten dollars of the application fee may be used by the department to fund the costs of administering the elver fishing license lottery.

**Sec. 7. 12 MRSA §6505-A, sub-§4**, as amended by PL 2013, c. 468, §25, is further amended to read:

- 4. Fees.** Fees for elver fishing licenses are:
  - A. For a person who is a resident, ~~\$105~~ **\$205**;
  - B. For a person who is a nonresident, ~~\$442~~ **\$542**;
  - C. For a person who is a resident with crew, ~~\$305~~ **\$405**; and
  - D. For a person who is a nonresident with crew, ~~\$1,326~~ **\$1,426**.

~~Fifty~~ **One hundred and fifty** dollars of each license fee collected under paragraphs A and B and ~~\$200~~ **\$300** of each license fee collected under paragraphs C and D accrue to the Eel and Elver Management Fund established in section 6505-D.

**Sec. 8. 12 MRSA §6575-J**, as enacted by PL 2013, c. 301, §13, is amended to read:

**§6575-J. Seizure of illegally harvested elvers**

In addition to any other penalty imposed, elvers that are purchased or possessed that were taken in violation of any law or rule pertaining to elvers are subject to seizure by any officer authorized to enforce this Part. The entire bulk pile containing illegally harvested elvers may be seized. For the purposes of this section, "bulk pile" means all elvers in the possession of a holder of an elver fishing license, an elver dealer's license or an elver exporter's license who fished for, took, possesses or bought elvers in violation of any law or rule regulating elvers under this Part.

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

**MARINE RESOURCES, DEPARTMENT OF**

**Bureau of Marine Science 0027**

Initiative: Provides allocations to the Eel and Elver Management Fund to reflect increased revenue from proceeds of the reinstated lottery for elver licenses, an increased license surcharge and an increased swipe card fee.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$152,500	\$152,500
<hr/>		
OTHER SPECIAL REVENUE FUNDS TOTAL	\$152,500	\$152,500

**Bureau of Policy and Management 0258**

Initiative: Provides allocations for administrative costs funded by an increase in revenue from proceeds of the reinstated lottery for elver fishing licenses.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$40,000	\$40,000
<hr/>		
OTHER SPECIAL REVENUE FUNDS TOTAL	\$40,000	\$40,000

<b>MARINE RESOURCES, DEPARTMENT OF DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$192,500</b>	<b>\$192,500</b>
<hr/>		
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$192,500</b>	<b>\$192,500</b>

See title page for effective date.

**CHAPTER 251**

**H.P. 377 - L.D. 533**

**An Act To Clarify the Application of the Statute of Limitations under Article 3-A of the Uniform Commercial Code**

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

**Sec. 1. 14 MRSA §751**, as amended by PL 1965, c. 306, §30, is further amended to read:

**§751. Twenty years**

Except as provided in Title 11, ~~section~~ sections 2-725 and 3-1118, subsection (1), personal actions on contracts or liabilities under seal, promissory notes signed in the presence of an attesting witness, or on the bills, notes or other evidences of debt issued by a bank ~~shall~~ must be commenced within 20 years after the cause of action accrues.

**Sec. 2. Application.** This Act applies to negotiable instruments executed on or after the effective date of this Act.

See title page for effective date.

**CHAPTER 252**  
**H.P. 544 - L.D. 764**

**An Act To Limit the Exclusion  
of a Patient from Eligibility for  
an Organ Transplant Based on  
Medical Marijuana Use**

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

**Sec. 1. 22 MRSA §2423-E, sub-§10** is enacted to read:

**10. Receiving an anatomical gift.** In reviewing a qualifying patient's suitability for receiving an anatomical gift, a transplant evaluator shall treat the qualifying patient's medical use of marijuana as the equivalent of the authorized use of any other medications used at the direction of a medical provider. A transplant evaluator may determine a qualifying patient to be unsuitable to receive an anatomical gift if the qualifying patient does not limit the qualifying patient's medical use of marijuana to the use of forms of prepared marijuana that are not smoked or vaporized, including, but not limited to, edible marijuana and tinctures and salves of marijuana. A transplant evaluator may require medical marijuana used by a qualifying patient to be tested for fungal contamination by a marijuana testing facility. For purposes of this subsection, "transplant evaluator" means a person responsible for determining another person's suitability for receiving an anatomical gift. For the purposes of this subsection, "anatomical gift" has the same meaning as in section 2942, subsection 2.

See title page for effective date.

**CHAPTER 253****S.P. 467 - L.D. 1359**

**An Act To Adopt the Interstate  
Medical Licensure Compact**

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

**Sec. 1. 25 MRSA §1542-A, sub-§1, ¶¶K and L**, as enacted by PL 2015, c. 300, Pt. B, §3, are amended to read:

K. Who has applied for employment with the Department of Administrative and Financial Services, Bureau of Revenue Services, Office of Tax Policy and whose fingerprints have been required by the Associate Commissioner for Tax Policy pursuant to Title 36, section 194-B; or

L. Who is assigned to provide services to the Department of Administrative and Financial Services, Bureau of Revenue Services pursuant to a contract or subcontract for services to the bureau and whose fingerprints have been required by the State Tax Assessor pursuant to Title 36, section 194-C;

**Sec. 2. 25 MRSA §1542-A, sub-§1, ¶¶M and N** are enacted to read:

M. Who is licensed under Title 32, chapter 36 and has applied for an expedited license under Title 32, section 18506; or

N. Who is licensed under Title 32, chapter 48 and has applied for an expedited license under Title 32, section 18506.

**Sec. 3. 25 MRSA §1542-A, sub-§3, ¶¶L and M** are enacted to read:

L. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph M at the request of that person and upon payment of the expenses by that person as required by Title 32, section 2571-A.

M. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph N at the request of that person and upon payment of the expenses by that person as required by Title 32, section 3275-A.

**Sec. 4. 25 MRSA §1542-A, sub-§4**, as amended by PL 2015, c. 300, Pt. B, §5, is further amended to read:

**4. Duty to submit to State Bureau of Identification.** It is the duty of the law enforcement agency taking the fingerprints as required by subsection 3, paragraphs A, B and G to transmit immediately to the State Bureau of Identification the criminal fingerprint record. Fingerprints taken pursuant to subsection 1, paragraph C, D, E or F or pursuant to subsection 5

may not be submitted to the State Bureau of Identification unless an express request is made by the commanding officer of the State Bureau of Identification. Fingerprints taken pursuant to subsection 1, paragraph G must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Education. The bureau may not use the fingerprints for any purpose other than that provided for under Title 20-A, section 6103. The bureau shall retain the fingerprints, except as provided under Title 20-A, section 6103, subsection 9. Fingerprints taken pursuant to subsection 1, paragraph I and subsection 3, paragraph I must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the court and the Department of Public Safety, Gambling Control Board, respectively. Fingerprints taken pursuant to subsection 1, paragraph J, K or L must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Administrative and Financial Services, Bureau of Revenue Services. Fingerprints taken pursuant to subsection 1, paragraph M must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Board of Osteopathic Licensure, established in Title 32, chapter 36. Fingerprints taken pursuant to subsection 1, paragraph N must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Board of Licensure in Medicine, established in Title 32, chapter 48.

**Sec. 5. 32 MRSA §2571-A** is enacted to read:

**§2571-A. Background check for expedited licensure through the Interstate Medical Licensure Compact**

**1. Background check.** The board shall request a background check for an individual licensed under this chapter who applies for an expedited license under section 18506. The background check must include criminal history record information obtained from the Maine Criminal Justice Information System and the Federal Bureau of Investigation.

A. The criminal history record information obtained from the Maine Criminal Justice Information System must include a record of public criminal history record information as defined in Title 16, section 703, subsection 8.

B. The criminal history record information obtained from the Federal Bureau of Investigation must include other state and national criminal history record information.

C. An applicant shall submit to having fingerprints taken. The State Police, upon payment by the applicant, shall take or cause to be taken the applicant's fingerprints and shall forward the fingerprints to the State Bureau of Identification so that the bureau can conduct state and national criminal history record checks. Except for the portion of the payment, if any, that constitutes the processing fee charged by the Federal Bureau of Investigation, all money received by the State Police for purposes of this paragraph must be paid over to the Treasurer of State. The money must be applied to the expenses of administration incurred by the Department of Public Safety.

D. The subject of a Federal Bureau of Investigation criminal history record check may obtain a copy of the criminal history record check by following the procedures outlined in 28 Code of Federal Regulations, Sections 16.32 and 16.33. The subject of a state criminal history record check may inspect and review the criminal history record information pursuant to Title 16, section 709.

E. State and federal criminal history record information of an applicant may be used by the board for the purpose of screening that applicant.

F. Information obtained pursuant to this subsection is confidential. The results of background checks received by the board are for official use only and may not be disseminated to the Interstate Medical Licensure Compact Commission, established in section 18512, or to any other person or entity.

G. An individual whose expedited licensure through the Interstate Medical Licensure Compact under chapter 145 has expired and who has not applied for renewal may request in writing that the State Bureau of Identification remove the individual's fingerprints from the bureau's fingerprint file. In response to a written request, the bureau shall remove the individual's fingerprints from the fingerprint file and provide written confirmation of that removal.

**2. Rules.** The board, following consultation with the State Bureau of Identification, shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 6. 32 MRSA §3275-A** is enacted to read:

**§3275-A. Background check for expedited licensure through the Interstate Medical Licensure Compact**

**1. Background check.** The board shall request a background check for an individual licensed under this chapter who applies for an expedited license under

section 18506. The background check must include criminal history record information obtained from the Maine Criminal Justice Information System and the Federal Bureau of Investigation.

A. The criminal history record information obtained from the Maine Criminal Justice Information System must include a record of public criminal history record information as defined in Title 16, section 703, subsection 8.

B. The criminal history record information obtained from the Federal Bureau of Investigation must include other state and national criminal history record information.

C. An applicant shall submit to having fingerprints taken. The State Police, upon payment by the applicant, shall take or cause to be taken the applicant's fingerprints and shall forward the fingerprints to the State Bureau of Identification so that the bureau can conduct state and national criminal history record checks. Except for the portion of the payment, if any, that constitutes the processing fee charged by the Federal Bureau of Investigation, all money received by the State Police for purposes of this paragraph must be paid over to the Treasurer of State. The money must be applied to the expenses of administration incurred by the Department of Public Safety.

D. The subject of a Federal Bureau of Investigation criminal history record check may obtain a copy of the criminal history record check by following the procedures outlined in 28 Code of Federal Regulations, Sections 16.32 and 16.33. The subject of a state criminal history record check may inspect and review the criminal history record information pursuant to Title 16, section 709.

E. State and federal criminal history record information of an applicant may be used by the board for the purpose of screening that applicant.

F. Information obtained pursuant to this subsection is confidential. The results of background checks received by the board are for official use only and may not be disseminated to the Interstate Medical Licensure Compact Commission, established in section 18512, or to any other person or entity.

G. An individual whose expedited licensure through the Interstate Medical Licensure Compact under chapter 145 has expired and who has not applied for renewal may request in writing that the State Bureau of Identification remove the individual's fingerprints from the bureau's fingerprint file. In response to a written request, the bureau shall remove the individual's fingerprints from the fingerprint file and provide written confirmation of that removal.

2. Rules. The board, following consultation with the State Bureau of Identification, shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 7. 32 MRSA c. 145** is enacted to read:

## **CHAPTER 145**

### **INTERSTATE MEDICAL LICENSURE COMPACT**

#### **§18501. Short title**

This chapter may be known and cited as "the Interstate Medical Licensure Compact."

#### **§18502. Purpose**

In order to strengthen access to health care and in recognition of the advances in the delivery of health care, the member states of the Interstate Medical Licensure Compact have allied in common purpose to develop a comprehensive process that complements the existing licensing and regulatory authority of state member boards and provides a streamlined process that allows physicians to become licensed in multiple states, thereby enhancing the portability of a medical license and ensuring the safety of patients. The compact creates another pathway for licensure and does not otherwise change a state's existing medical practice act. The compact also adopts the prevailing standard for licensure and affirms that the practice of medicine occurs where the patient is located at the time of the physician-patient encounter and therefore requires the physician to be under the jurisdiction of the state member board where the patient is located. State member boards that participate in the compact retain the jurisdiction to impose an adverse action against a license to practice medicine in that state issued to a physician through the procedures in the compact.

This compact is the Maine enactment of the Interstate Medical Licensure Compact as revised by the Interstate Medical Licensure Compact Commission. The form, format and text of the compact have been changed minimally so as to conform to Maine statutory conventions. The changes are technical in nature and it is the intent of the Legislature that this Act be interpreted as substantively the same as the Interstate Medical Licensure Compact that is enacted by other member states.

#### **§18503. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

**1. Bylaws.** "Bylaws" means those bylaws adopted by the interstate commission pursuant to section 18512 for its governance or for directing and controlling its actions and conduct.

**2. Commissioner.** "Commissioner" means the voting representative appointed by a member board pursuant to section 18512.

**3. Conviction.** "Conviction" means a finding by a court that an individual is guilty of a criminal offense through adjudication or entry of a plea of guilty or no contest to the charge by the offender. Evidence of an entry of a conviction of a criminal offense by the court is considered final for purposes of disciplinary action by a member board.

**4. Expedited license.** "Expedited license" means a full and unrestricted medical license granted by a member state to an eligible physician through the process set forth in the compact.

**5. Interstate commission.** "Interstate commission" means the Interstate Medical Licensure Compact Commission created pursuant to section 18512.

**6. License.** "License" means authorization by a state for a physician to engage in the practice of medicine.

**7. Medical practice act.** "Medical practice act" means the laws and rules governing the practice of allopathic and osteopathic medicine within a member state.

**8. Member board.** "Member board" means a state agency in a member state that acts in the sovereign interests of the state by protecting the public through licensure, regulation and education of physicians as directed by the state government.

**9. Member state.** "Member state" means a state that has enacted the compact.

**10. Offense.** "Offense" means a felony, a Class A, Class B or Class C crime, an aggravated crime, a gross misdemeanor or a crime involving moral turpitude.

**11. Physician.** "Physician" means a person who:

A. Is a graduate of a medical school accredited by the Liaison Committee on Medical Education or the American Osteopathic Association's Commission on Osteopathic College Accreditation, or its successor, or a medical school listed in the International Medical Education Directory database or its successor;

B. Passed each component of the United States Medical Licensing Examination or the Comprehensive Osteopathic Medical Licensing Examination within 3 attempts or a predecessor examination accepted by a state member board as an equivalent examination for licensure purposes;

C. Successfully completed graduate medical education approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association;

D. Holds specialty certification or a time-unlimited specialty certificate recognized by the American Board of Medical Specialties or the American Osteopathic Association's Bureau of Osteopathic Specialists;

E. Possesses a full and unrestricted license to engage in the practice of medicine issued by a member board;

F. Has never been convicted or received adjudication, deferred adjudication, community supervision or deferred disposition for any offense by a court of appropriate jurisdiction;

G. Has never held a license authorizing the practice of medicine and been subjected to discipline by a licensing agency in any state, federal or foreign jurisdiction, excluding any action related to nonpayment of fees related to a license;

H. Has never had a controlled substance license or permit suspended or revoked by a state or the United States Drug Enforcement Administration; and

I. Is not under active investigation by a licensing agency or law enforcement authority in any state, federal or foreign jurisdiction.

**12. Practice of medicine.** "Practice of medicine" means the clinical prevention, diagnosis or treatment of a human disease, injury or condition requiring a physician to obtain and maintain a license in compliance with the medical practice act of a member state.

**13. Rule.** "Rule" means a written statement by the interstate commission promulgated pursuant to section 18513 that is of general applicability; implements, interprets or prescribes a policy or provision of the compact or an organizational, procedural or practice requirement of the interstate commission; has the force and effect of statutory law in a member state; and includes the amendment, repeal or suspension of an existing rule.

**14. State.** "State" means any state, commonwealth, district or territory of the United States.

**15. State of principal license.** "State of principal license" means a member state where a physician holds a license to practice medicine and that has been designated as the state of principal license by the physician for purposes of registration and participation in the compact.

#### **§18504. Eligibility**

**1. Eligibility requirements.** A physician may receive an expedited license under the terms and provisions of the compact.

**2. Exception.** An individual who does not meet the requirements of section 18503, subsection 11 may obtain a license to practice medicine in a member state

if the individual complies with all laws and requirements, other than the compact, relating to the issuance of a license to practice medicine in that state.

### **§18505. Designation of state of principal license**

**1. State of principal license.** A physician must designate a member state as the state of principal license for purposes of registration for expedited licensure through the compact if the physician possesses a full and unrestricted license to practice medicine in that state, and the state is:

- A. The state of primary residence for the physician;
- B. The state where at least 25% of the physician's practice of medicine occurs;
- C. The location of the physician's employer; or
- D. If no state qualifies under paragraphs A to C, the state designated as the physician's state of residence for the purpose of federal income tax.

**2. Redesignation.** A physician may designate another member state as the state of principal license at any time after a designation under subsection 1, as long as the state meets the requirements in subsection 1.

**3. Rules.** The interstate commission is authorized to adopt rules pursuant to section 18516 to facilitate designation pursuant to subsection 2 of another member state as the state of principal license.

### **§18506. Application for and issuance of expedited license**

**1. Application.** A physician seeking licensure through the compact must file an application for an expedited license with the member board of the state selected by the physician as the state of principal license.

**2. Evaluation.** Upon receipt of an application for an expedited license, the member board of the state selected by the physician as the state of principal license shall evaluate whether the physician is eligible for expedited licensure and issue a letter of qualification, verifying or denying the physician's eligibility, to the interstate commission.

A. Static qualifications, which include verification of medical education, graduate medical education, results of any medical or licensing examination and other qualifications as determined by the interstate commission through rule, are not subject to additional primary source verification when already verified by primary source by the state of principal license.

B. The member board of the state selected by the physician as the state of principal license shall, in the course of verifying eligibility, perform a criminal background check of an applicant, in-

cluding the use of the results of fingerprint or other biometric data checks in compliance with the requirements of the Federal Bureau of Investigation, with the exception of federal employees who have been determined suitable in accordance with 5 Code of Federal Regulations, Section 731.202.

An appeal on the determination of eligibility must be made to the member state where the application was filed and is subject to the law of that state.

**3. Registration process.** Upon verification in subsection 2, a physician eligible for an expedited license must complete the registration process established by the interstate commission to receive an expedited license in a member state selected pursuant to subsection 1, including the payment of any applicable fees under section 18507.

**4. Expedited license.** After receiving verification of eligibility under subsection 2 and any fees under subsection 3, a member board shall issue an expedited license to the physician. The license authorizes the physician to practice medicine in the issuing state consistent with the medical practice act and all applicable laws and rules of the issuing member board and member state.

**5. Validity.** An expedited license is valid for a period consistent with the licensure period in the member state and in the same manner as required for other physicians holding a full and unrestricted license within the member state.

**6. Termination.** An expedited license obtained through the compact must be terminated if a physician fails to maintain a license in the state of principal licensure for a nondisciplinary reason without redesignation of a new state of principal licensure.

**7. Rules.** The interstate commission is authorized to adopt rules pursuant to section 18516 regarding the application process, including payment of any applicable fees, and the issuance of an expedited license.

### **§18507. Fees for expedited licensure**

**1. Fees.** A member state issuing an expedited license authorizing the practice of medicine in that state may impose a fee for a license issued or renewed through the compact.

**2. Rules.** The interstate commission is authorized to adopt rules pursuant to section 18516 regarding fees for expedited licenses.

### **§18508. Renewal and continued participation**

**1. License renewal process.** A physician seeking to renew an expedited license granted in a member state must complete a renewal process with the interstate commission. The physician is eligible for renewal if the physician:

A. Maintains a full and unrestricted license in a state of principal license;

B. Has not been convicted or received adjudication, deferred adjudication, community supervision or deferred disposition for any offense by a court of appropriate jurisdiction;

C. Has not had a license authorizing the practice of medicine subject to discipline by a licensing agency in any state, federal or foreign jurisdiction, excluding any action related to nonpayment of fees related to a license; and

D. Has not had a controlled substance license or permit suspended or revoked by a state or the United States Drug Enforcement Administration.

**2. Professional development.** A physician must comply with all continuing professional development or continuing medical education requirements for renewal of a license issued by a member state.

**3. Renewal fees.** The interstate commission shall collect from the physician any renewal fee charged for the renewal of a license and distribute the fee to the applicable member board.

**4. License renewal.** Upon receipt of the renewal fee collected in subsection 3, a member board shall renew the physician's license.

**5. Physician information.** Physician information collected by the interstate commission during the renewal process must be distributed to all member boards.

**6. Rules.** The interstate commission is authorized to adopt rules pursuant to section 18516 to address renewal of licenses obtained through the compact.

#### **§18509. Coordinated information system**

**1. Database.** The interstate commission shall establish a database of all physicians licensed or who have applied for licensure under section 18506.

**2. Public action or complaint.** Notwithstanding any other provision of law, a member board shall report to the interstate commission any public action or complaint against a physician licensed by that member board who has applied for or received an expedited license through the compact.

**3. Disciplinary or investigatory information.** A member board shall report disciplinary or investigatory information determined as necessary and proper by rule of the interstate commission.

**4. Other reports.** A member board may report any nonpublic complaint, disciplinary or investigatory information not required to be reported by subsection 3 to the interstate commission.

**5. Information sharing.** A member board shall share complaint or disciplinary information about a physician upon request of another member board.

**6. Confidentiality.** Information provided to the interstate commission or distributed by a member board is confidential within the meaning of Title 1, section 402, subsection 3, paragraph A and may be used only for investigatory or disciplinary matters under sections 18510 and 18511.

**7. Rules.** The interstate commission is authorized to adopt rules pursuant to section 18516 regarding mandated or discretionary sharing of information by member boards.

#### **§18510. Joint investigations**

**1. Joint investigations.** In addition to the authority granted to a member board by its respective medical practice act or other applicable state law, a member board may participate with other member boards in joint investigations of a physician licensed by the member boards.

**2. Subpoenas.** A subpoena issued by a member state is enforceable in other member states.

**3. Materials sharing.** Notwithstanding any other provision of law, a member board may share any investigative, litigation or compliance materials in furtherance of any joint or individual investigation initiated under the compact.

**4. Investigations in other member states.** A member state may investigate actual or alleged violations of the laws authorizing the practice of medicine in any other member state in which a physician holds a license to practice medicine.

#### **§18511. Disciplinary actions**

**1. Unprofessional conduct.** A physician licensed through the compact who is the subject of a disciplinary action taken by a member board is deemed to have engaged in unprofessional conduct and may be subject to discipline by another member board, in addition to discipline for any violation of the medical practice act or rules in that member board's state.

**2. License revocation.** If a license granted to a physician by the member board in the state of principal license is revoked, surrendered or relinquished in lieu of discipline, or suspended, then all licenses issued to the physician by member boards must automatically be placed, without further action necessary by any member board, on the same status. If the member board in the state of principal license subsequently reinstates the physician's license, a license issued to the physician by any other member board remains encumbered until that respective member board takes action to reinstate the license in a manner consistent

with the medical practice act of that member board's state.

**3. Matter of law and fact decided.** If disciplinary action is taken against a physician by a member board not in the state of principal license, any other member board may deem the action conclusive as to matter of law and fact decided and may:

A. Impose the same or a lesser sanction against the physician as long as such sanction is consistent with the medical practice act of that member board's state; or

B. Pursue separate disciplinary action against the physician under the medical practice act of the member board's state, regardless of the action taken in other member states.

**4. Licenses in other member states.** If a license granted to a physician by a member board is revoked, surrendered or relinquished in lieu of discipline, or suspended, then any license issued to the physician by any other member board must be suspended, automatically and immediately without further action necessary by the other member board, for 90 days upon entry of the order by the disciplining member board, to permit the other member board to investigate the basis for the action under the medical practice act of that member board's state. A member board may terminate the automatic suspension of the license it issued prior to the completion of the 90-day suspension period in a manner consistent with the medical practice act of that member board's state.

#### **§18512. Interstate medical licensure compact commission**

**1. Commission established.** The Interstate Medical Licensure Compact Commission is established.

**2. Duties.** The interstate commission shall administer the Interstate Medical Licensure Compact.

**3. Powers.** The interstate commission is a body corporate and joint agency of the member states and has all the responsibilities, powers and duties set forth in the compact and such additional powers as may be conferred upon it by a subsequent concurrent action of the respective legislatures of the member states in accordance with the terms of the compact.

**4. Membership.** The interstate commission consists of 2 voting representatives appointed by each member state, who serve as commissioners. In states where allopathic and osteopathic physicians are regulated by separate member boards, or if the licensing and disciplinary authority is split between multiple member boards within a member state, the member state shall appoint one representative from each member board. A commissioner must:

A. Be an allopathic or osteopathic physician appointed to a member board;

B. Be an executive director, executive secretary or similar executive of a member board; or

C. Be a member of the public appointed to a member board.

**5. Meetings; officers.** The interstate commission shall meet at least once each calendar year to address such matters as may properly come before the commission, including the election of officers including the chair. The chair may call additional meetings and shall call for a meeting upon the request of a majority of the member states.

**6. Telecommunication or electronic communication.** The bylaws of the commission may provide for meetings to be conducted by telecommunication or electronic communication.

**7. Quorum.** A commissioner participating at a meeting of the interstate commission is entitled to one vote. A majority of commissioners constitutes a quorum for the transaction of business, unless a larger quorum is required by the bylaws of the interstate commission. A commissioner may not delegate a vote to another commissioner. In the absence of its commissioner, a member state may delegate voting authority for a specified meeting to another person from that state who meets the requirements of subsection 4.

**8. Public notice.** The interstate commission shall provide public notice of all meetings, and all meetings must be open to the public. The interstate commission may close a meeting, in full or in portion, if it determines by a 2/3 vote of the commissioners present that an open meeting would be likely to:

A. Relate solely to the internal personnel practices and procedures of the interstate commission;

B. Discuss matters specifically exempted from disclosure by federal statute;

C. Discuss trade secrets or commercial or financial information that is privileged or confidential;

D. Involve accusing a person of a crime or formally censuring a person;

E. Discuss information of a personal nature the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

F. Discuss investigative records compiled for law enforcement purposes; or

G. Specifically relate to participation in a civil action or other legal proceeding.

**9. Minutes.** The interstate commission shall keep minutes that must fully describe all matters discussed in a meeting and provide a full and accurate

summary of actions taken, including a record of any roll call votes.

**10. Public records.** The interstate commission shall make its information and official records, to the extent not otherwise designated in the compact or by rules adopted by the interstate commission, available to the public for inspection.

**11. Executive committee.** The interstate commission shall establish an executive committee, which must include officers, members and others as determined by the bylaws. The executive committee has the power to act on behalf of the interstate commission, with the exception of rulemaking, during periods when the interstate commission is not in session. When acting on behalf of the interstate commission, the executive committee shall oversee the administration of the compact, including enforcement of and compliance with the provisions of the compact and the interstate commission's bylaws and rules, and perform other such duties as necessary.

**12. Other committees.** The interstate commission may establish other committees, in addition to the executive committee under subsection 11, for governance and administration of the compact.

**§18513. Powers and duties of the interstate commission**

**1. Duties.** The interstate commission shall:

A. Oversee and maintain the administration of the compact;

B. Adopt rules pursuant to section 18516, which are binding to the extent and in the manner provided for in the compact;

C. Issue, upon the request of a member state or member board, advisory opinions concerning the meaning or interpretation of the compact and the interstate commission's bylaws, rules and actions;

D. Enforce compliance with compact provisions and the rules and bylaws adopted by the interstate commission using all necessary and proper means, including but not limited to the use of judicial process;

E. Pay, or provide for the payment of, the expenses related to the establishment, organization and ongoing activities of the interstate commission;

F. Purchase and maintain insurance and bonds;

G. Employ an executive director who has the power to employ, select or appoint employees, agents or consultants and to determine their qualifications, define their duties and fix their compensation;

H. Establish personnel policies and programs relating to conflicts of interest, rates of compensation and qualifications of personnel;

I. Establish a budget and make expenditures;

J. Adopt a seal and bylaws governing the management and operation of the interstate commission;

K. Report annually to the legislatures and governors of the member states concerning the activities of the interstate commission during the preceding year. Reports must include reports of financial audits and any recommendations adopted by the interstate commission; and

L. Maintain records in accordance with the bylaws.

**2. Powers.** The interstate commission may:

A. Establish and appoint committees, including, but not limited to, an executive committee as required by section 18512, that have the power to act on behalf of the interstate commission in carrying out its powers and duties;

B. Establish and maintain one or more offices;

C. Borrow, accept, hire or contract for the services of personnel;

D. Accept donations and grants of money, equipment, supplies, materials and services, and receive, use and dispose of donations and grants in a manner consistent with the conflict of interest policies established by the interstate commission;

E. Lease, purchase, accept contributions or donations of or otherwise own, hold, improve or use any property, real, personal or mixed;

F. Sell, convey, mortgage, pledge, lease, exchange, abandon or otherwise dispose of any property, real, personal or mixed;

G. Coordinate education, training and public awareness regarding the compact and its implementation and operation;

H. Seek and obtain trademarks, copyrights and patents; and

I. Perform such functions as may be necessary or appropriate to achieve the purposes of the compact.

**§18514. Finance powers**

**1. Annual assessment.** The interstate commission may levy an annual assessment on and collect the assessment from each member state to cover the cost of the operations and activities of the interstate commission and its staff. The total assessment must be sufficient to cover the annual budget approved each year for which revenue is not provided by other

sources. The aggregate annual assessment amount must be allocated upon a formula to be determined by the interstate commission. The interstate commission shall adopt the formula by rule binding upon all member states.

**2. Obligations.** The interstate commission may not incur an obligation of any kind prior to securing the funds adequate to meet that obligation.

**3. Credit.** The interstate commission may not pledge the credit of another member state, except by and with the authority of that member state.

**4. Financial audit.** The interstate commission is subject to a yearly financial audit conducted by a certified or licensed public accountant, and the report of the audit must be included in the annual report of the interstate commission under section 18513, subsection 1, paragraph K.

#### **§18515. Organization and operation of the interstate commission**

**1. Bylaws.** The interstate commission shall, by a majority of commissioners present and voting, adopt bylaws to govern its conduct as may be necessary or appropriate to carry out the purposes of the compact within 12 months of the first interstate commission meeting.

**2. Officers.** The interstate commission shall elect or appoint annually from among its commissioners a chair, a vice-chair and a treasurer, each of whom has the authority and duties as specified in the bylaws. The chair, or in the chair's absence or disability, the vice-chair, shall preside at all meetings of the interstate commission.

**3. Remuneration.** Officers selected in subsection 2 serve without remuneration from the interstate commission.

**4. Immunity and liability.** An officer or employee of the interstate commission is immune from suit and liability, either personally or in that person's official capacity, for a claim for damage to or loss of property or personal injury or other civil liability caused or arising out of, or relating to, an actual or alleged act, error or omission that occurred, or that that officer or employee has a reasonable basis for believing occurred, within the scope of interstate commission employment, duties or responsibilities, except that that officer or employee is not protected from suit or liability for damage, loss, injury or liability caused by the intentional or willful and wanton misconduct of that officer or employee.

A. The liability of the executive director or an employee or representative of the interstate commission, acting within the scope of that executive director's, representative's or employee's employment or duties for acts, errors or omissions occurring within that executive director's, representa-

tive's or employee's state may not exceed the limits of liability set forth under the constitution and laws of that state for state officials, employees and agents. The interstate commission is considered to be an instrumentality of the states for the purposes of any action to enforce liability. Nothing in this paragraph may be construed to protect a person from suit or liability for damage, loss or injury caused by the intentional or willful and wanton misconduct of the executive director, representative or employee.

B. The interstate commission shall defend the executive director, an employee and, subject to the approval of the attorney general or other appropriate legal counsel of the member state, an interstate commission representative in any civil action seeking to impose liability arising out of an actual or alleged act, error or omission that occurred or that the defendant had a reasonable basis for believing occurred within the scope of interstate commission employment, duties or responsibilities, as long as the actual or alleged act, error or omission did not result from intentional or willful and wanton misconduct on the part of the executive director, employee or representative.

C. To the extent not covered by the state involved, a member state or the interstate commission, a representative or employee of the interstate commission must be held harmless in the amount of a settlement or judgment, including attorney's fees and costs, obtained against that person arising out of an actual or alleged act, error or omission that occurred or that that representative or employee has a reasonable basis for believing occurred within the scope of interstate commission employment, duties or responsibilities, as long as the actual or alleged act, error or omission did not result from intentional or willful and wanton misconduct on the part of that representative or employee.

#### **§18516. Rule-making functions of the interstate commission**

**1. Rules.** The interstate commission shall adopt reasonable rules, which are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A, in order to effectively and efficiently achieve the purposes of the compact; however, if the interstate commission exercises its rule-making authority in a manner that is beyond the scope of the purposes of the compact or the powers granted under the compact, then such an action by the interstate commission is invalid and has no force or effect.

**2. Rules conformation.** Rules for the operations of the interstate commission must be adopted pursuant to a rule-making process that substantially conforms to the "Revised Model State Administrative Procedure

Act" (2010), as amended, of the National Conference of Commissioners on Uniform State Laws.

**3. Judicial review.** Not later than 30 days after a rule is adopted, a person may file a petition for judicial review of the rule in the United States District Court for the District of Columbia or the federal district where the interstate commission has its principal offices, as long as the filing of such a petition does not stay or otherwise prevent the rule from becoming effective unless the court finds that the petitioner has a substantial likelihood of success. The court shall give deference to the actions of the interstate commission consistent with applicable law and may not find the rule to be unlawful if the rule represents a reasonable exercise of the authority granted to the interstate commission.

#### **§18517. Oversight of interstate compact**

**1. Enforcement.** The executive, legislative and judicial branches of state government in each member state shall enforce the compact and shall take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of the compact and the rules adopted under the compact have standing as statutory law but do not override existing state authority to regulate the practice of medicine.

**2. Courts.** All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of the compact that may affect the powers, responsibilities or actions of the interstate commission.

**3. Service of process.** The interstate commission is entitled to receive all service of process in any proceeding under subsection 2 and has standing to intervene in the proceeding for all purposes. Failure to provide service of process to the interstate commission renders a judgment or order void as to the interstate commission, the compact or adopted rules.

#### **§18518. Enforcement of interstate compact**

**1. Enforcement.** The interstate commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of the compact.

**2. Compliance.** The interstate commission may, by majority vote of the commissioners, initiate legal action in the United States District Court for the District of Columbia or, at the discretion of the interstate commission, in the federal district where the interstate commission has its principal offices to enforce compliance with the provisions of the compact and its adopted rules and bylaws against a member state in default. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation including reasonable attorney's fees.

**3. Remedies.** The remedies in this section are not the exclusive remedies of the interstate commission. The interstate commission may avail itself of any other remedies available under state law or the regulation of a profession.

#### **§18519. Default procedures**

**1. Grounds.** The grounds for default under section 18518 include, but are not limited to, failure of a member state to perform such obligations or responsibilities imposed upon it by the compact or the rules and bylaws of the interstate commission adopted under the compact.

**2. Default.** If the interstate commission determines that a member state has defaulted in the performance of its obligations or responsibilities under the compact or the bylaws or adopted rules, the interstate commission shall:

A. Provide written notice to the defaulting state and other member states of the nature of the default, the means of curing the default and any action taken by the interstate commission. The interstate commission shall specify the conditions by which the defaulting state must cure its default; and

B. Provide remedial training and specific technical assistance regarding the default.

**3. Termination.** If a defaulting state fails to cure the default, the defaulting state must be terminated from the compact in accordance with subsection 4 upon an affirmative vote of a majority of the commissioners and all rights, privileges and benefits conferred by the compact terminate on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of the default.

**4. Notice of intent.** Termination of membership in the compact may be imposed only after all other means of securing compliance have been exhausted. Notice of intent to terminate must be given by the interstate commission to the governor of the defaulting state, the majority and minority leaders of the defaulting state's legislature and each of the member states.

**5. Rules.** The interstate commission shall adopt rules pursuant to section 18516 and procedures to address licenses and physicians that are materially affected by the termination of a member state or the withdrawal of a member state.

**6. Obligations.** A member state that has been terminated is responsible for all dues, obligations and liabilities incurred through the effective date of termination, including obligations the performance of which extends beyond the effective date of termination.

**7. Costs.** The interstate commission may not bear any costs relating to any state that has been found

to be in default or that has been terminated from the compact, unless otherwise mutually agreed upon in writing between the interstate commission and the defaulting state.

**8. Appeal.** A defaulting state may appeal an action of the interstate commission by petitioning the United States District Court for the District of Columbia or the federal district where the interstate commission has its principal offices. The prevailing party must be awarded all costs of such litigation including reasonable attorney's fees.

#### **§18520. Dispute resolution**

**1. Resolution.** The interstate commission shall attempt, upon the request of a member state, to resolve disputes that are subject to the compact and that arise among member states or member boards.

**2. Rules.** The interstate commission shall adopt rules pursuant to section 18516 providing for both mediation and binding dispute resolution, as appropriate.

#### **§18521. Member states, effective date and amendment**

**1. Eligibility.** Any state is eligible to become a member state of the compact.

**2. Effective date.** The compact becomes effective and binding upon legislative enactment of the compact into law by no fewer than 7 states. Thereafter, it becomes effective and binding on a state upon enactment of the compact into law by that state.

**3. Participation by nonmember states.** The governors of nonmember states, or their designees, must be invited to participate in the activities of the interstate commission on a nonvoting basis prior to adoption of the compact by all states.

**4. Amendments to compact.** The interstate commission may propose amendments to the compact for enactment by the member states. An amendment does not become effective and binding upon the interstate commission and the member states until it is enacted into law by unanimous consent of the member states.

#### **§18522. Withdrawal**

**1. Repeal.** Once effective, the compact continues in force and remains binding upon each member state, except that a member state may withdraw from the compact by specifically repealing the statute that enacted the compact into law.

**2. Effective date.** Withdrawal from the compact is by the enactment of a statute repealing the compact, but does not take effect until one year after the effective date of that statute and until written notice of the withdrawal has been given by the withdrawing state to the governor of each other member state.

**3. Intent.** The withdrawing state shall immediately notify the chair of the interstate commission in writing upon the introduction of legislation repealing the compact in the withdrawing state.

**4. Notification.** The interstate commission shall notify the other member states of the withdrawing state's intent to withdraw within 60 days of its receipt of notice provided under subsection 3.

**5. Obligations.** The withdrawing state is responsible for all dues, obligations and liabilities incurred through the effective date of withdrawal, including obligations the performance of which extends beyond the effective date of withdrawal.

**6. Reinstatement.** Reinstatement following withdrawal of a member state occurs upon the withdrawing state's reenacting the compact or upon such later date as determined by the interstate commission.

**7. Rules.** The interstate commission is authorized to adopt rules pursuant to section 18516 to address the impact of the withdrawal of a member state on licenses granted in other member states to physicians who designated the withdrawing member state as the state of principal license.

#### **§18523. Dissolution**

**1. Effective date.** The compact dissolves effective upon the date of the withdrawal or default of the member state that reduces the membership in the compact to one member state.

**2. Surplus funds.** Upon the dissolution of the compact, the compact becomes null and void and is of no further force or effect, and the business and affairs of the interstate commission are concluded and surplus funds must be distributed in accordance with the bylaws.

#### **§18524. Construction**

**1. Liberal construction.** The provisions of the compact must be liberally construed to effectuate its purposes.

**2. Applicability of other compacts.** Nothing in the compact may be construed to prohibit the applicability of other interstate compacts of which the states are members.

#### **§18525. Binding effect of compact and other laws**

**1. Other law.** Nothing in this chapter prevents the enforcement of any other law of a member state that is not inconsistent with the compact.

**2. Conflicts.** All laws in a member state in conflict with the compact are superseded to the extent of the conflict.

**3. Actions.** All lawful actions of the interstate commission, including all rules and bylaws adopted by the commission, are binding upon the member states.

**4. Agreements.** All agreements between the interstate commission and the member states are binding in accordance with their terms.

**5. Constitutional limits.** In the event any provision of the compact exceeds the constitutional limits imposed on the legislature of any member state, that provision is ineffective to the extent of the conflict with the constitutional provision in question in that member state.

See title page for effective date.

## CHAPTER 254

### H.P. 1082 - L.D. 1571

#### An Act To Amend the Election Laws Relating to Party Qualification

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

**Sec. 1. 21-A MRSA §301, sub-§1, ¶E,** as enacted by PL 2009, c. 426, §2, is amended to read:

E. At least 10,000 voters enrolled in the party voted in the last general election, except that a qualified party does not have to meet this enrollment until the 2nd general election after it has qualified and thereafter.

**Sec. 2. 21-A MRSA §303, sub-§2,** as amended by PL 2013, c. 131, §11, is further amended to read:

**2. Enrollment of voters.** Within 5 business days after the declaration of intent required in subsection 1 is filed, the Secretary of State shall certify whether the application meets the requirements of subsection 1 and, if so, notify the applicants that they may enroll voters in the proposed party under sections 141 to 145. On or before ~~December 1st~~ January 2nd of the ~~odd-numbered~~ next even-numbered year following the filing of the application under subsection 1, the applicants must file a certification with the Secretary of State, on a form designed by the Secretary of State, that they have at least 5,000 voters enrolled in the proposed party. The Secretary of State shall verify the proposed party's enrollment figures within § 15 business days of receiving the proposed party's certification and notify the applicants whether the proposed party has met the requirements to participate in a primary election in the subsequent even-numbered year. A determination by the Secretary of State that the party has not met these requirements may be challenged pursuant to section 303-A.

**Sec. 3. 21-A MRSA §303-A** is enacted to read:

#### **§303-A. Challenge to denial of party qualification**

If the Secretary of State determines that a party has not met the requirements to qualify as a party pursuant to section 303, the proposed party may challenge that determination. The procedure for challenging the determination is as follows.

**1. Challenge.** A challenge under this section must be in writing, signed by the voters who signed the declaration of intent to form a party by enrollment, and must set forth the reasons for the challenge. The challenge may include a request for copies of voter registration and enrollment or change of enrollment applications that were rejected by municipal registrars from up to 15 named municipalities. The challenge must be filed in the office of the Secretary of State before 5 p.m. on the 5th business day after the party receives the secretary's determination.

**2. Notification.** Within 5 business days of receiving a properly filed challenge under subsection 1, the Secretary of State shall notify the municipalities listed by the challenger and direct the municipal officials of those municipalities to submit copies of the rejected voter registration and enrollment or change of enrollment applications if requested under subsection 1 to the Secretary of State within 5 business days.

**3. Public hearing.** Within 15 business days after receipt of a properly filed challenge under subsection 1, and after providing due notice of the hearing to the challenger, the Secretary of State shall hold a public hearing on the challenge. The hearing must be held in accordance with the Maine Administrative Procedure Act. The challenger has the burden of providing sufficient evidence to establish that the party did enroll a minimum of 5,000 voters by the applicable deadline pursuant to section 303.

**4. Ruling.** The Secretary of State shall rule on the validity of any challenge within 5 business days after the completion of the hearing described in subsection 3.

**5. Appeal of Secretary of State's determination.** A challenger may appeal the determination of the Secretary of State under subsection 4 by commencing an action in the Superior Court. This action must be conducted in accordance with the Maine Rules of Civil Procedure, Rule 80C, except as modified by this section. This action must be commenced within 5 business days of the date of the determination of the Secretary of State. Upon timely application, a person may intervene in this action if the person claims an interest relating to the subject matter of the petitions, unless the person's interest is adequately represented by existing parties. The court shall issue a 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 determination of the Secretary of State.

**6. Appeal of Superior Court decision.** A challenger may appeal the decision of the Superior Court under subsection 5, on questions of law, by filing a notice of appeal within 3 days of that decision. The record on appeal must be transmitted to the Law Court within 3 days after notice of appeal is filed. After filing notice of appeal, the parties have 4 days to file briefs and appendices with the clerk of courts. As soon as the record and briefs have been filed, the court shall immediately consider the case. The court shall issue its decision within 14 days of the date of the decision of the Superior Court.

**Sec. 4. Retroactivity.** Sections 1 and 2 of this Act apply retroactively to November 1, 2016 and apply to any party whose nominee for President of the United States appeared on the ballot at the general election on November 8, 2016.

See title page for effective date.

## CHAPTER 255

H.P. 1127 - L.D. 1634

### An Act To Update the Scheduling Guidelines for Review of Agencies or Independent Agencies under the State Government Evaluation Act

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

**Sec. 1. 3 MRSA §959, sub-§1, ¶P,** as amended by PL 2013, c. 505, §1, 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 ~~2015~~ 2019;
- (2) Board of Directors, Maine Municipal and Rural Electrification Cooperative Agency in 2015;
- (3) Public Utilities Commission, including the Emergency Services Communication Bureau, in ~~2015~~ 2021; and
- (5) Telecommunications Relay Services Advisory Council in ~~2015~~ 2017.

See title page for effective date.

## CHAPTER 256

H.P. 250 - L.D. 336

### An Act To Amend the Requirements of the Temporary Assistance for Needy Families Program

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

**Sec. 1. 22 MRSA §3762, sub-§3,** as amended by PL 2015, c. 267, Pt. RRRR, §2, is further amended to read:

**3. Administration.** The department may administer and operate a program of aid to needy dependent children, called "Temporary Assistance for Needy Families" or "TANF," ~~who are deprived of support or care due to the death, continued absence, physical or mental incapacity of a parent or the unemployment or underemployment of the principal wage earner in accordance with the United States Social Security Act, as amended by PRWORA and DRA, and this Title.~~

A. The department shall adopt rules as necessary to implement and administer the program. The rules must include eligibility criteria, budgeting process, benefit calculation and confidentiality. The confidentiality rules must ensure that confidentiality is maintained for TANF recipients at least to the same extent that confidentiality was maintained for families in the Aid to Families with Dependent Children program unless otherwise required by federal law or regulation.

B. The department may use funds, insofar as resources permit, provided under and in accordance with the United States Social Security Act or state funds appropriated for this purpose or a combination of state and federal funds to provide assistance to families under this chapter. In addition to assistance for families described in this subsection, funds must be expended for the following purposes:

- (1) To continue the pass-through of the first \$50 per month of current child support collections and the exclusion of the \$50 pass-through from the budget tests and benefit calculations;
- (2) To provide financial assistance to non-citizens legally admitted to the United States who are receiving assistance under this subsection as of July 1, 2011. Recipients of assistance under this subparagraph are limited to the categories of noncitizens who would be eligible for the TANF programs but for their status as aliens under PRWORA. Eligibility for the TANF program for these categories of noncitizens must be determined using the cri-

teria applicable to other recipients of assistance from the TANF program. Any household receiving assistance as of July 1, 2011 may continue to receive assistance, as long as that household remains eligible, without regard to interruptions in coverage or gaps in eligibility for service. A noncitizen legally admitted to the United States who is neither receiving assistance on July 1, 2011 nor has an application pending for assistance on July 1, 2011 that is later approved is not eligible for financial assistance through a state-funded program unless that noncitizen is:

- (a) Elderly or disabled, as described under the laws governing supplemental security income in 42 United States Code, Sections 1381 to 1383f (2010);
  - (b) A victim of domestic violence;
  - (c) Experiencing other hardship, such as time necessary to obtain proper work documentation, as defined by the department by rule. Rules adopted by the department under this division are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A; or
  - (d) Unemployed but has obtained proper work documentation, as defined by the department by rule. Rules adopted by the department under this division are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A;
- (3) To provide benefits to ~~certain~~ 2-parent families ~~whose deprivation is based on physical or mental incapacity with children using the same eligibility requirements as apply to families headed by a single custodial parent or caretaker relative;~~
- (4) To provide an assistance program for needy children, 19 to 21 years of age, who are in full-time attendance in secondary school. The program is operated for those individuals who qualify for TANF under the United States Social Security Act, except that they fail to meet the age requirement, and is also operated for the parent or caretaker relative of those individuals. Except for the age requirement, all provisions of TANF, including the standard of need and the amount of assistance, apply to the program established pursuant to this subparagraph;
- (5) To provide assistance for a pregnant woman who is otherwise eligible for assistance under this chapter, except that she has no dependents under 19 years of age. An individual is eligible for the monthly benefit for one eligible person if the medically substanti-

ated expected date of the birth of her child is not more than 90 days following the date the benefit is received;

- (6) To provide a special housing allowance for TANF families whose shelter expenses for rent, mortgage or similar payments, homeowners insurance and property taxes equal or exceed 75% of their monthly income. The special housing allowance is limited to ~~\$200~~ \$300 per month for each family. For purposes of this subparagraph, "monthly income" means the total of the TANF monthly benefit and all income countable under the TANF program, plus child support received by the family, excluding the \$50 pass-through payment;
- (7) In determining benefit levels for TANF recipients who have earnings from employment, the department shall disregard from monthly earnings the following:
  - (a) One hundred and eight dollars;
  - (b) Fifty percent of the remaining earnings that are less than the federal poverty level; and
  - (c) All actual child care costs necessary for work, except that the department may limit the child care disregard to \$175 per month per child or \$200 per month per child under 2 years of age or with special needs;
- (7-A) In determining eligibility and benefit levels, the department may apply a gross income test only to applicants and not to recipients;
- (8) In cases when the TANF recipient has no child care cost, the monthly TANF benefit is the maximum payment level or the difference between the countable earnings and the standard of need established by rule adopted by the department, whichever is lower;
- (9) In cases when the TANF recipient has child care costs, the department shall determine a total benefit package, including TANF cash assistance, determined in accordance with subparagraph (7) and additional child care assistance, as provided by rule, necessary to cover the TANF recipient's actual child care costs up to the maximum amount specified in section 3782-A, subsection 5. The benefit amount must be paid as provided in this subparagraph.
  - (a) Before the first month in which child care assistance is available to an ASPIRE-TANF recipient under this paragraph and periodically thereafter, the

department shall notify the recipient of the total benefit package and the following options of the recipient: to receive the total benefit package directly; or to have the department pay the recipient's child care assistance directly to the designated child care provider for the recipient and pay the balance of the total benefit package to the recipient.

(b) If an ASPIRE-TANF recipient notifies the department that the recipient chooses to receive the child care assistance directly, the department shall pay the total benefit package to the recipient.

(c) If an ASPIRE-TANF recipient does not respond or notifies the department of the choice to have the child care assistance paid directly to the child care provider from the total benefit package, the department shall pay the child care assistance directly to the designated child care provider for the recipient. The department shall pay the balance of the total benefit package to the recipient;

(10) Child care assistance under this paragraph must be paid by the department in a prompt manner that permits an ASPIRE-TANF recipient to access child care necessary for work; and

(11) The department shall adopt rules pursuant to Title 5, chapter 375 to implement this subsection. Rules adopted pursuant to this subparagraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 2. 22 MRSA §3785**, as amended by PL 1997, c. 530, Pt. A, §§20 to 24, is further amended to read:

### **§3785. Sanctions**

An individual may not be sanctioned under this program or Temporary Assistance for Needy Families for failure to participate in the ASPIRE-TANF program if that failure to participate is based on good cause. Each individual participating in an ASPIRE-TANF orientation must receive written and oral notice of what constitutes good cause for nonparticipation in ASPIRE-TANF including the domestic violence exception. Good cause for failure to participate in this program must be found when there is reasonable and verifiable evidence of:

**1. Illness or incapacitation.** The individual's illness, incapacity or advanced age, or the illness or incapacity of a household member, that requires the individual to provide care in the home;

**2. Sexual harassment.** Sexual harassment at a program-approved component;

**3. Court-required appearance; incarceration.** Court-required appearance or incarceration;

~~**4. Lack of supportive services.** Lack or breakdown of necessary supportive services such as child care or transportation with no appropriate alternatives available;~~

~~**5. Inelemt weather.** Inelemt weather that prevents the individual from traveling to an activity when the weather is severe enough to prevent other individuals from traveling to the same activity;~~

~~**6. Assignment to another activity.** Assignment by the department to an activity or component that has not been made part of the family contract;~~

~~**7. Remoteness.** Participation that requires the individual to travel outside the individual's immediate geographic area, defined as an area within a 2 hour round trip commute;~~

**8. Crisis or special circumstance.** A crisis or special circumstance or other reason that the department determines to be good cause that causes an individual to be absent from or discontinue a department activity about which the department has been advised ~~and has determined to constitute good cause, including lack of transportation or child care necessary for participation when the individual does not have reasonable access to that service and the department cannot offer a reasonable alternative to enable the individual to participate; or~~

~~**12. Other good cause.** Any other reason resulting in failure to participate that is beyond the control of the individual or that a reasonable person would determine to be good cause; or~~

**13. Domestic violence.** Inability to participate due to domestic violence when the individual is unable to participate because of physical injuries or the psychological effects of abuse; because of legal proceedings, counseling or other activities related to abuse; because the abuser actively interferes with the individual's participation; because the location puts the individual at risk; or for other good cause related to domestic violence. For the purposes of this subsection, reasonable and verifiable evidence may include but is not limited to the following:

A. Court, medical, law enforcement, child protective, social services, psychological or other records that establish that the individual has been a victim of domestic violence; or

B. Sworn statements from persons other than the individual with knowledge of the circumstances affecting the individual.

**Sec. 3. 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: Provides funding to provide Temporary Assistance for Needy Families (TANF) benefits and alternative aid benefits to 2-parent families and to increase from \$200 to \$300 the special housing allowance for families receiving TANF benefits.

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$835,215	\$1,113,620
	<hr/>	<hr/>
FEDERAL BLOCK GRANT FUND TOTAL	\$835,215	\$1,113,620

**Temporary Assistance for Needy Families 0138**

Initiative: Provides funding to provide Temporary Assistance for Needy Families (TANF) benefits and alternative aid benefits to 2-parent families and to increase from \$200 to \$300 the special housing allowance for families receiving TANF benefits.

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$3,488,787	\$4,651,717
	<hr/>	<hr/>
FEDERAL BLOCK GRANT FUND TOTAL	\$3,488,787	\$4,651,717

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

<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
FEDERAL BLOCK GRANT FUND	\$4,324,002	\$5,765,337
	<hr/>	<hr/>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$4,324,002</b>	<b>\$5,765,337</b>

See title page for effective date.

**CHAPTER 257  
S.P. 198 - L.D. 583**

**An Act To Improve the Tax Appeal Process for Maine Businesses and Consumers**

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

**Sec. 1. 36 MRSA §2011**, as amended by PL 2013, c. 331, Pt. C, §10 and affected by §41, is further amended to read:

**§2011. Overpayment; refunds**

If the State Tax Assessor determines, upon written application by a taxpayer or during the course of an audit, that any tax under this Part has been paid more than once or has been erroneously or illegally collected or computed, the assessor shall certify to the State Controller the amount paid in excess of that legally due. That amount must be credited by the assessor on any taxes then due from the taxpayer and the balance refunded to the taxpayer or the taxpayer's successor in interest, but no such credit or refund may be allowed unless within 3 years from the date of overpayment either a written petition stating the grounds upon which the refund or credit is claimed is filed with the assessor or the overpayment is discovered on audit. Interest at the rate determined pursuant to section 186 must be paid on any balance refunded pursuant to this chapter from the date the return listing the overpayment was filed or the date the payment was made, whichever is later, except that no interest may be paid with respect to the refunds provided by section 2013 and, in cases of excessive or erroneous collections, interest must be paid in accordance with section 1814, subsection 3. At the election of the assessor, unless the taxpayer specifically requests a cash refund, the refund may be credited to the taxpayer's sales and use tax account, but, in the case of a credit no further interest may accrue from the date of that election. The taxpayer may not apply for a refund of any amount assessed when administrative and judicial review under section 151 has been completed.

A taxpayer making an application for a refund or credit of erroneously or illegally collected sales tax paid by the taxpayer to the retailer must submit an affidavit as prescribed by the assessor stating in part that the refund or credit has not been and will not be requested from the retailer.

A taxpayer dissatisfied with the decision of the assessor, upon a written request for refund filed under this section may request reconsideration and appeal from the reconsideration in the same manner and under the same conditions as in the case of assessments made under chapter 7. The decision of the assessor upon a written request for refund becomes final as to law and fact in the same manner and under the same

conditions as in the case of assessments made under chapter 7.

**Sec. 2. 36 MRSA §2551, sub-§2-A** is enacted to read:

**2-A. Customer.** "Customer" means a person who purchases one or more services subject to tax under section 2552, subsection 1.

**Sec. 3. 36 MRSA §2555, first ¶,** as enacted by PL 2003, c. 673, Pt. V, §25 and affected by §29, is amended to read:

If the assessor determines, upon written application by a taxpayer or during the course of an audit, that any tax has been paid more than once or has been erroneously or illegally computed, the assessor shall certify to the State Controller the amount paid in excess of that legally due and that amount must be credited by the assessor on any taxes then due from the taxpayer and the balance refunded to the taxpayer or its successor in interest, but no such credit or refund may be allowed unless within 3 years of the date of overpayment either a written petition stating the grounds upon which the refund or credit is claimed is filed with the assessor or the overpayment is discovered on audit. A credit or refund may not be allowed for tax that has been erroneously or illegally collected and separately stated on a customer's bill until the service provider has provided evidence satisfactory to the assessor that the tax has been refunded or credited to the customer. Interest at the rate determined pursuant to section 186 must be paid on any balance refunded pursuant to this chapter from the date the return listing the overpayment was filed or the payment was made, whichever is later. At the election of the assessor, unless the taxpayer specifically requests a cash refund, the refund may be credited to the taxpayer's service provider tax account, but in the case of a credit no further interest may accrue from the date of that election. The taxpayer may not apply for a refund of any amount assessed when administrative and judicial review under section 151 has been completed.

**Sec. 4. 36 MRSA §2555-A** is enacted to read:

**§2555-A. Refund or credit to customer**

A service provider tax that has been erroneously or illegally computed by a service provider and included on a customer's bill must be refunded or credited to the customer by the service provider.

**Sec. 5. Report.** By February 1, 2018, the State Tax Assessor shall review the adequacy of procedures and notices involved in the process of notifying taxpayers regarding the basis of an assessment or a denial of a refund request and provide a report of the review to the Joint Standing Committee on Taxation. The report must describe the procedures and documents reviewed and any revisions implemented to ensure that taxpayers who receive notices or determinations from

the assessor are provided a brief, nontechnical explanation for an assessment or a denial of a refund request.

**Sec. 6. Application.** The sections of the bill that amend the Maine Revised Statutes, Title 36, sections 2011 and 2555 apply to requests for credit or refund of sales tax paid to a retailer and service provider tax paid to a service provider for which administrative or judicial review is still available.

See title page for effective date.

**CHAPTER 258**

**S.P. 488 - L.D. 1410**

**An Act To Adopt the Nurse  
Licensure Compact**

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

**PART A**

**Sec. A-1. 32 MRSA c. 31, sub-c. 2-A** is enacted to read:

**SUBCHAPTER 2-A**

**NURSE LICENSURE COMPACT**

**§2171. Short title; findings and declaration of  
purpose -- Article 1**

**1. Short title.** This chapter may be known and cited as "the Nurse Licensure Compact," or "the compact."

**2. Legislative intent.** This compact is the Maine enactment of the Nurse Licensure Compact as revised by the National Council of State Boards of Nursing. The form, format and text of the compact have been changed minimally so as to conform to Maine statutory conventions. The changes are technical in nature, and it is the intent of the Legislature that this Act be interpreted as substantively the same as the Nurse Licensure Compact that is enacted by other party states.

**3. Findings.** The party states find that:

A. The health and safety of the public are affected by the degree of compliance with and the effectiveness of enforcement activities related to state nurse licensure laws;

B. Violations of nurse licensure and other laws regulating the practice of nursing may result in injury or harm to the public;

C. The expanded mobility of nurses and the use of advanced communication technologies as part of our nation's health care delivery system require greater coordination and cooperation among states in the areas of nurse licensure and regulation;

D. New practice modalities and technology make compliance with individual state nurse licensure laws difficult and complex;

E. The system of duplicative licensure for nurses practicing in multiple states is cumbersome and redundant for both nurses and states; and

F. Uniformity of nurse licensure requirements throughout the states promotes public safety and public health benefits.

**4. Purpose.** The general purposes of this compact are to:

A. Facilitate the states' responsibility to protect the public's health and safety;

B. Ensure and encourage the cooperation of party states in the areas of nurse licensure and regulation;

C. Facilitate the exchange of information between party states in the areas of nurse regulation, investigation and adverse actions;

D. Promote compliance with the laws governing the practice of nursing in each jurisdiction;

E. Invest all party states with the authority to hold a nurse accountable for meeting all state practice laws in the state in which the patient is located at the time care is rendered through the mutual recognition of party state licenses;

F. Decrease redundancies in the consideration and issuance of nurse licenses; and

G. Provide opportunities for interstate practice by nurses who meet uniform licensure requirements.

#### **§2172. Definitions -- Article 2**

As used in this compact, unless the context otherwise indicates, the following terms have the following meanings.

**1. Adverse action.** "Adverse action" means an administrative, civil, equitable or criminal action permitted by a state's laws that is imposed by a licensing board or other authority against a nurse, including actions against an individual's license or multistate licensure privilege such as revocation, suspension, probation, monitoring of the licensee, limitation on the licensee's practice or any other encumbrance on licensure affecting a nurse's authorization to practice, including issuance of a cease and desist action.

**2. Alternative program.** "Alternative program" means a nondisciplinary monitoring program approved by a licensing board.

**3. Commission.** "Commission" means the Interstate Commission of Nurse Licensure Compact Administrators established in this compact.

**4. Coordinated licensure information system.** "Coordinated licensure information system" means an integrated system for collecting, storing and sharing information on nurse licensure and enforcement activities related to nurse licensure laws that is administered by a nonprofit organization composed of and controlled by licensing boards.

**5. Current significant investigative information.** "Current significant investigative information" means:

A. Investigative information that a licensing board, after a preliminary inquiry that includes notification and an opportunity for a nurse to respond, if required by state law, has reason to believe is not groundless and, if proved true, indicates more than a minor infraction; or

B. Investigative information that indicates that a nurse represents an immediate threat to public health and safety regardless of whether the nurse has been notified and had an opportunity to respond.

**6. Encumbrance.** "Encumbrance" means a revocation or suspension of, or any limitation on, the full and unrestricted practice of nursing imposed by a licensing board.

**7. Head of the state licensing board.** "Head of the state licensing board" means the executive director of the State Board of Nursing.

**8. Home state.** "Home state" means the party state that is a nurse's primary state of residence.

**9. Licensing board.** "Licensing board" means a party state's regulatory body responsible for issuing nurse licenses.

**10. Multistate license.** "Multistate license" means a license to practice as a registered or a licensed practical or vocational nurse issued by a home state licensing board that authorizes the licensed nurse to practice in all party states under a multistate licensure privilege.

**11. Multistate licensure privilege.** "Multistate licensure privilege" means a legal authorization associated with a multistate license permitting the practice of nursing as either a registered nurse or licensed practical or vocational nurse in a remote state.

**12. Nurse.** "Nurse" means a registered nurse or licensed practical or vocational nurse, as those terms are defined by each party state's practice laws.

**13. Party state.** "Party state" means a state that has adopted this compact.

**14. Prior compact.** "Prior compact" means the prior nurse licensure compact that is superseded by this compact.

**15. Remote state.** "Remote state" means a party state other than the home state.

**16. Single-state license.** "Single-state license" means a nurse license issued by a party state that authorizes practice only within the issuing state and does not include a multistate licensure privilege to practice in any other party state.

**17. State.** "State" means a state, territory or possession of the United States and the District of Columbia.

**18. State practice laws.** "State practice laws" means a party state's laws, rules and regulations that govern the practice of nursing, define the scope of nursing practice and create the methods and grounds for imposing discipline. "State practice laws" does not include requirements necessary to obtain and retain a license, except for qualifications or requirements of the home state.

### **§2173. General provisions and jurisdiction -- Article 3**

**1. Multistate license.** A multistate license to practice registered or licensed practical or vocational nursing issued by a home state to a resident in that state is recognized by each party state as authorizing a nurse to practice as a registered nurse or as a licensed practical or vocational nurse, under a multistate licensure privilege, in each party state.

**2. Criminal history records.** A party state shall implement procedures for considering the criminal history records of an applicant for an initial multistate license or licensure by endorsement. Such procedures must include the submission of fingerprints or other biometric-based information by an applicant for the purpose of obtaining an applicant's criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records.

**3. Requirements.** Each party state shall require that an applicant to obtain or retain a multistate license in the home state:

A. Meet the home state's qualifications for licensure or renewal of licensure, as well as all other applicable laws;

B. Have graduated or be eligible to graduate from a registered nurse or licensed practical or vocational nurse prelicensure education program approved by a licensing board or have graduated in a country other than the United States from a registered nurse or licensed practical or vocational nurse prelicensure education program that has been approved by an authorized accrediting body in the applicable country and has been verified by an independent credentials review agency to be comparable to a prelicensure education program approved by a licensing board;

C. Have, if a graduate of a prelicensure education program not taught in English or if English is not the applicant's native language, successfully passed an English proficiency examination that includes the components of reading, speaking, writing and listening;

D. Have successfully passed a National Council Licensure Examination for registered nurses or a National Council Licensure Examination for practical or vocational nurses given by the National Council of State Boards of Nursing or an exam given by a predecessor or successor organization, as applicable;

E. Be eligible for or hold an active, unencumbered nurse license;

F. Have submitted, in connection with an application for initial licensure or licensure by endorsement, fingerprints or other biometric-based information for the purpose of obtaining criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records;

G. Have not been convicted or found guilty, or have entered into an agreed disposition, of a felony offense under applicable state or federal criminal law;

H. Have not been convicted or found guilty, or have entered into an agreed disposition, of a misdemeanor offense related to the practice of nursing as determined on a case-by-case basis;

I. Be not currently enrolled in an alternative program;

J. Be subject to self-disclosure requirements regarding current participation in an alternative program; and

K. Have a valid social security number.

**4. Adverse action.** A party state is authorized, in accordance with existing state due process law, to take adverse action against a nurse's multistate licensure privilege such as revocation, suspension, probation or any other action that affects a nurse's authorization to practice under a multistate licensure privilege, including cease and desist actions. If a party state takes an action under this subsection, it shall promptly notify the administrator of the coordinated licensure information system. The administrator of the coordinated licensure information system shall promptly notify the home state of any action under this subsection by a remote state.

**5. Practice of nursing.** A nurse practicing in a party state shall comply with the state practice laws of the state in which the client is located at the time service is provided. The practice of nursing is not limited to patient care, but includes all nursing practice as

defined by the state practice laws of the party state in which the client is located. The practice of nursing in a party state under a multistate licensure privilege subjects a nurse to the jurisdiction of the licensing board, the courts and the laws of the party state in which the client is located at the time service is provided.

**6. Single-state license.** A person not residing in a party state may apply for a party state's single-state license as provided under the laws of each party state; however, a single-state license granted under this subsection is not recognized as granting the privilege to practice nursing in any other party state. Nothing in this compact affects the requirements established by a party state for the issuance of a single-state license.

**7. Licenses active on the effective date of compact.** A nurse holding a home state multistate license on the effective date of this compact may retain and renew the multistate license issued by the nurse's then-current home state, except that:

A. A nurse who changes primary state of residence after the effective date of this compact must meet all applicable requirements under subsection 3 to obtain a multistate license from a new home state; and

B. A nurse who fails to satisfy the multistate licensure requirements in subsection 3 due to a disqualifying event occurring after the effective date of this compact is ineligible to retain or renew a multistate license, and the nurse's multistate license must be revoked or deactivated in accordance with applicable rules adopted by the commission.

**§2174. Applications for licensure in a party state -- Article 4**

**1. Other licenses.** Upon receiving an application for a multistate license, the licensing board in the issuing party state shall ascertain, through the coordinated licensure information system, whether the applicant has ever held, or is the holder of, a license issued by any other state, whether there are any encumbrances on a license or multistate licensure privilege held by the applicant, whether an adverse action has been taken against a license or multistate licensure privilege held by the applicant and whether the applicant is currently participating in an alternative program.

**2. Multistate license.** A nurse may hold a multistate license issued by the home state in only one party state at a time.

**3. Change of residence.** If a nurse changes primary state of residence by moving between 2 party states, the nurse shall apply for licensure in the new home state, and the multistate license issued by the prior home state must be deactivated in accordance with applicable rules adopted by the commission.

A. A nurse may apply for licensure under this compact in advance of a change in primary state of residence.

B. A multistate license may not be issued by the new home state under this subsection until the nurse provides satisfactory evidence of a change in primary state of residence to the new home state and satisfies all applicable requirements to obtain a multistate license from the new home state.

**4. Change of residence to nonparty state.** If a nurse changes primary state of residence by moving from a party state to a nonparty state, the multistate license issued by the prior home state converts to a single-state license, valid only in the former home state.

**§2175. Additional authorities invested in party state licensing boards -- Article 5**

**1. Authority.** In addition to other powers conferred by state law, a licensing board has the authority to:

A. Take adverse action against a nurse's multistate licensure privilege to practice within that party state.

(1) Only the home state has the power to take adverse action against a nurse's license issued by the home state.

(2) For purposes of taking adverse action, the home state licensing board shall give the same priority and effect to a report of conduct received from a remote state as it would if such conduct had occurred within the home state. In so doing, the home state licensing board shall apply its own state laws to determine appropriate action;

B. Issue cease and desist orders or impose an encumbrance on a nurse's authority to practice within that party state;

C. Complete any pending investigation of a nurse who changes primary state of residence during the course of such investigation. The licensing board also has the authority to take appropriate action and shall promptly report the conclusions of an investigation to the administrator of the coordinated licensure information system. The administrator of the coordinated licensure information system shall promptly notify the new home state of any action under this paragraph;

D. Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. A subpoena issued by a licensing board in a party state for the attendance and testimony of witnesses or the production of evidence from another

party state may be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it. The issuing authority shall pay any witness fees, travel expenses, mileage and other fees required by the service statutes of the state in which the witnesses or evidence is located;

E. Obtain and submit, for each nurse licensure applicant, fingerprints or other biometric-based information to the Federal Bureau of Investigation for criminal background checks, receive the results of the Federal Bureau of Investigation record search on criminal background checks and use the results in making licensure decisions;

F. If otherwise permitted by state law, recover from the affected nurse the costs of investigations and disposition of cases resulting from any adverse action taken against that nurse; and

G. Take adverse action based on the factual findings of the remote state, as long as the licensing board follows its own procedures for taking such adverse action.

**2. Adverse action.** If adverse action is taken by the home state against a nurse's multistate license, the nurse's multistate licensure privilege to practice in all other party states is deactivated until all encumbrances have been removed from the multistate license. A home state disciplinary order that imposes adverse action against a nurse's multistate license must include a statement that the nurse's multistate licensure privilege is deactivated in all party states during the pendency of the order.

**3. Alternative program.** Nothing in this compact overrides a decision by a licensing board of a party state that participation in an alternative program may be used in lieu of adverse action. The home state licensing board shall deactivate the multistate licensure privilege under the multistate license of a nurse for the duration of the nurse's participation in an alternative program.

#### **§2176. Coordinated licensure information system and exchange of information -- Article 6**

**1. Participation.** A party state shall participate in the coordinated licensure information system for all licensed registered nurses and licensed practical or vocational nurses. The coordinated licensure information system includes information on the licensure and disciplinary history of each nurse, as submitted by party states, to assist in the coordination of nurse licensure and enforcement efforts.

**2. Procedures.** The commission, in consultation with the administrator of the coordinated licensure information system, shall formulate necessary and

proper procedures for the identification, collection and exchange of information under this compact.

**3. Reports.** A licensing board shall promptly report to the coordinated licensure information system any adverse action, any current significant investigative information, denials of applications, including the reasons for such denials, and nurse participation in alternative programs known to the licensing board regardless of whether such participation is considered nonpublic or confidential under state law.

**4. Information restrictions.** Current significant investigative information and participation in nonpublic or confidential alternative programs may be transmitted through the coordinated licensure information system only to party state licensing boards.

**5. Confidentiality.** Notwithstanding any other provision of law, a party state licensing board contributing information to the coordinated licensure information system may designate information that may not be shared with nonparty states or disclosed to other entities or individuals without the express permission of the contributing state licensing board.

**6. Personally identifiable information.** Personally identifiable information obtained from the coordinated licensure information system by a party state licensing board may not be shared with nonparty states or disclosed to other entities or individuals except to the extent permitted by the laws of the party state contributing the information.

**7. Expungement.** Information contributed to the coordinated licensure information system that is subsequently required to be expunged by the laws of the party state contributing that information must also be expunged from the coordinated licensure information system.

**8. Uniform data set.** The compact administrator of each party state shall furnish a uniform data set to the compact administrator of each other party state, which must include, at a minimum:

A. Identifying information;

B. Licensure data;

C. Information related to alternative program participation; and

D. Other information that may facilitate the administration of this compact, as determined by commission rules.

**9. Investigative documents.** The compact administrator of a party state shall provide all investigative documents and information requested by another party state.

**§2177. Establishment of the Interstate Commission of Nurse Licensure Compact Administrators -- Article 7**

**1. Commission established.** The party states hereby create and establish a joint public entity known as the Interstate Commission of Nurse Licensure Compact Administrators.

A. The commission is an instrumentality of the party states.

B. Venue is proper, and judicial proceedings by or against the commission must be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

C. Nothing in this compact may be construed to be a waiver of sovereign immunity.

**2. Membership, voting and meetings.** This subsection governs the membership, voting and meetings of the commission.

A. Each party state has and is limited to one administrator. The head of the state licensing board or the head of the state licensing board's designee is the administrator of this compact for each party state. An administrator may be removed or suspended from office as provided by the law of the state from which the administrator is appointed. Any vacancy occurring in the commission must be filled in accordance with the laws of the party state in which the vacancy exists.

B. Each administrator is entitled to one vote with regard to the promulgation of rules and creation of bylaws and must otherwise have an opportunity to participate in the business and affairs of the commission. An administrator shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for an administrator's participation in meetings by telephone or other means of communication.

C. The commission shall meet at least once during each calendar year. Additional meetings must be held as set forth in the bylaws or rules of the commission.

D. All meetings must be open to the public, and public notice of meetings must be given in the same manner as required under the rule-making provisions in section 2178.

E. The commission may convene in a closed, nonpublic meeting if the commission must discuss:

(1) Noncompliance of a party state with its obligations under this compact;

(2) The employment, compensation, discipline or other personnel matters, practices or procedures related to specific employees or other matters related to the commission's internal personnel practices and procedures;

(3) Current, threatened or reasonably anticipated litigation;

(4) Negotiation of contracts for the purchase or sale of goods, services or real estate;

(5) Accusing a person of a crime or formally censuring a person;

(6) Disclosure of trade secrets or commercial or financial information that is privileged or confidential;

(7) Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(8) Disclosure of investigatory records compiled for law enforcement purposes;

(9) Disclosure of information related to any reports prepared by or on behalf of the commission for the purpose of investigation of compliance with this compact; or

(10) Matters specifically exempted from disclosure by federal or state statute.

F. If a meeting, or portion of a meeting, is closed pursuant to paragraph E, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken and the reasons for those actions, including a description of the views expressed. All documents considered in connection with an action must be identified in the minutes. All minutes and documents of a closed meeting must remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

**3. Bylaws and rules.** The commission shall, by a majority vote of the administrators, prescribe bylaws or rules to govern its conduct as may be necessary or appropriate to carry out the purposes and exercise the powers of this compact, including but not limited to:

A. Establishing the fiscal year of the commission;

B. Providing reasonable standards and procedures:

(1) For the establishment and meetings of other committees; and

(2) Governing any general or specific delegation of any authority or function of the commission;

C. Providing reasonable procedures for calling and conducting meetings of the commission, ensuring reasonable advance notice of all meetings and providing an opportunity for attendance of such meetings by interested parties, with enumerated exceptions designed to protect the public's interest, the privacy of individuals and proprietary information, including trade secrets. The commission may meet in closed session only after a majority of the administrators vote to close a meeting in whole or in part. As soon as practicable, the commission shall make public a copy of the vote to close the meeting revealing the vote of each administrator, with no proxy votes allowed;

D. Establishing the titles, duties and authority and reasonable procedures for the election of the officers of the commission;

E. Providing reasonable standards and procedures for the establishment of the personnel policies and programs of the commission. Notwithstanding any civil service or other similar laws of any party state, the bylaws exclusively govern the personnel policies and programs of the commission; and

F. Providing a mechanism for winding up the operations of the commission and the equitable disposition of any surplus funds that may exist after the termination of this compact after the payment or reserving of all of its debts and obligations.

**4. Publishing.** The commission shall publish its bylaws and rules, and any amendments thereto, in a convenient form on the publicly accessible website of the commission.

**5. Financial records.** The commission shall maintain its financial records in accordance with the bylaws.

**6. Meetings.** The commission shall meet and take such actions as are consistent with the provisions of this compact and the bylaws.

**7. Powers.** The commission has the following powers:

A. To promulgate uniform rules to facilitate and coordinate implementation and administration of this compact. The rules have the force and effect of law and are binding in all party states;

B. To bring and prosecute legal proceedings or actions in the name of the commission; however, the standing of any licensing board to sue or be sued under applicable law is not affected;

C. To purchase and maintain insurance and bonds;

D. To borrow, accept or contract for services of personnel, including, but not limited to, employees of a party state or nonprofit organizations;

E. To cooperate with other organizations that administer state compacts related to the regulation of nursing, including, but not limited to, sharing administrative or staff expenses, office space or other resources;

F. To hire employees, elect or appoint officers, fix compensation, define duties, grant appropriate authority to carry out the purposes of this compact and establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel and other related personnel matters;

G. To accept all appropriate donations, grants and gifts of money, equipment, supplies, materials and services and to receive, use and dispose of the same, as long as at all times the commission avoids any appearance of impropriety or conflict of interest;

H. To lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve or use, any property, whether real, personal or mixed, as long as at all times the commission avoids any appearance of impropriety;

I. To sell, convey, mortgage, pledge, lease, exchange, abandon or otherwise dispose of any property, whether real, personal or mixed;

J. To establish a budget and make expenditures;

K. To borrow money;

L. To appoint committees, including advisory committees composed of administrators, state nursing regulators, state legislators or their representatives, consumer representatives and other interested persons;

M. To provide and receive information from, and to cooperate with, law enforcement agencies;

N. To adopt and use an official seal; and

O. To perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of nurse licensure and practice.

**8. Financing of commission.** This subsection governs the financial operations of the commission.

A. The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization and ongoing activities.

B. The commission may levy on and collect an annual assessment from each party state to cover the cost of its operations, activities and staff in its annual budget as approved each year. The aggre-

gate annual assessment amount, if any, must be allocated based upon a formula to be determined by the commission, which shall promulgate a rule that is binding upon all party states.

C. The commission may not incur obligations of any kind prior to securing the funds adequate to those obligations; nor may the commission pledge the credit of any of the party states except by and with the authority of that party state.

D. The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission are subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission must be audited yearly by a certified or licensed public accountant, and the report of the audit must be included in and become part of the annual report of the commission.

**9. Qualified immunity; defense and indemnification.** This subsection governs immunity provisions and defense and indemnification requirements of the commission.

A. An administrator, officer, executive director, employee or representative of the commission is immune from suit and liability, either personally or in that person's official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities, except that nothing in this paragraph may be construed to protect any person from suit or liability for any damage, loss, injury or liability caused by the intentional, willful or wanton misconduct of that person.

B. The commission shall defend an administrator, officer, executive director, employee or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error or omission that occurred within the scope of commission employment, duties or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities, as long as the actual or alleged act, error or omission did not result from that person's intentional, willful or wanton misconduct. Nothing in this paragraph may be construed to prohibit that person from retaining counsel.

C. The commission shall indemnify and hold harmless an administrator, officer, executive di-

rector, employee or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of commission employment, duties or responsibilities, or that the person had a reasonable basis for believing occurred within the scope of commission employment, duties or responsibilities, as long as the actual or alleged act, error or omission did not result from the intentional, willful or wanton misconduct of that person.

### **§2178. Rulemaking -- Article 8**

**1. Rule-making powers.** The commission shall exercise its rule-making powers pursuant to the criteria set forth in this section and the rules adopted under this section. Rules and amendments to rules become binding as of the date specified in each rule or amendment and have the same force and effect as provisions of this compact.

**2. Adoption.** Rules or amendments to rules must be adopted at a regular or special meeting of the commission.

**3. Notice publication.** Prior to promulgation and adoption of a final rule or rules by the commission, and at least 60 days in advance of the meeting at which the rule will be considered and voted upon, the commission shall file a notice of proposed rulemaking:

A. On the publicly accessible website of the commission; and

B. On the publicly accessible website of each licensing board or in the publication in which each party state would otherwise publish proposed rules.

**4. Notice contents.** The notice of proposed rulemaking under subsection 3 must include:

A. The proposed time, date and location of the meeting in which the rule will be considered and voted upon;

B. The text of the proposed rule or amendment and the reason for the proposed rule or amendment;

C. A request for comments on the proposed rule from any interested person; and

D. The manner in which an interested person may submit notice to the commission of the intention to attend the public hearing and any written comments.

**5. Materials submission.** Prior to adoption of a proposed rule, the commission shall allow any interested person to submit written data, facts, opinions and arguments, which must be made available to the public.

**6. Public hearing opportunity.** The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment.

**7. Public hearing procedure.** The commission shall publish the place, time and date of the scheduled public hearing.

A. A public hearing must be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing. All public hearings must be recorded, and a copy must be made available upon request.

B. Nothing in this section may be construed as requiring a separate public hearing on each rule. Rules may be grouped for the convenience of the commission at public hearings required by this section.

**8. Attendance.** If no one appears at the public hearing, the commission may proceed with promulgation of the proposed rule.

**9. Consideration of comments.** Following the scheduled public hearing date, or by the close of business on a scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

**10. Final action.** The commission shall, by majority vote of all administrators, take final action on a proposed rule and determine the effective date of the rule, if any, based on the rule-making record and the full text of the rule.

**11. Emergency rulemaking.** Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment or public hearing, in which case the usual rule-making procedures provided in this compact and in this section must be retroactively applied to the rule as soon as reasonably possible and in no event later than 90 days after the effective date of the rule. For the purposes of this subsection, an emergency rule is one that must be adopted immediately in order to:

A. Meet an imminent threat to public health, safety or welfare;

B. Prevent a loss of commission or party state funds; or

C. Meet a deadline for the promulgation of an administrative rule that is required by federal law or rule.

**12. Revisions.** The commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency or grammatical errors. Public notice of any revisions must be posted on the publicly accessible website of the commission. The

revision is subject to challenge by any person for a period of 30 days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge must be made in writing and delivered to the commission prior to the end of the notice period. If no challenge is made, the revision takes effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

### **§2179. Oversight, dispute resolution and enforcement -- Article 9**

**1. Oversight.** This subsection governs enforcement and proceedings under the compact.

A. Each party state shall enforce this compact and take all actions necessary and appropriate to effectuate this compact's purposes and intent.

B. The commission is entitled to receive service of process in any proceeding that may affect the powers, responsibilities or actions of the commission and has standing to intervene in such a proceeding for all purposes. Failure to provide service of process in a proceeding to the commission renders a judgment or order void as to the commission, this compact or promulgated rules.

**2. Default, technical assistance and termination.** This subsection governs default, technical assistance and termination under the compact.

A. If the commission determines that a party state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

(1) Provide written notice to the defaulting state and other party states of the nature of the default, the proposed means of curing the default or any other action to be taken by the commission; and

(2) Provide remedial training and specific technical assistance regarding the default.

B. If a party state in default fails to cure the default, the defaulting state's membership in this compact may be terminated upon an affirmative vote of a majority of the administrators, and all rights, privileges and benefits conferred by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

C. Termination of membership in this compact may be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate must be given by the commission to the governor of the defaulting state and to the executive officer of the defaulting state's licensing board and each of the party states.

D. A party state whose membership in this compact has been terminated is responsible for all assessments, obligations and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

E. The commission may not bear any costs related to a party state that is found to be in default or whose membership in this compact has been terminated unless agreed upon in writing between the commission and the defaulting state.

F. The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district in which the commission has its principal offices. The prevailing party must be awarded all costs of such litigation, including reasonable attorney's fees.

**3. Dispute resolution.** This subsection governs dispute resolution under the compact.

A. Upon request by a party state, the commission shall attempt to resolve disputes related to the compact that arise among party states and between party and nonparty states.

B. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes, as appropriate.

C. In the event the commission cannot resolve disputes among party states arising under this compact:

(1) The party states may submit the issues in dispute to an arbitration panel composed of individuals appointed by the compact administrator in each of the affected party states and an individual mutually agreed upon by the compact administrators of all the party states involved in the dispute; and

(2) The decision of a majority of the arbitrators under this paragraph is final and binding.

**4. Enforcement.** This subsection governs enforcement under the compact.

A. The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

B. By majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district in which the commission has its principal offices against a party state that is in default to enforce compliance with the provisions of this compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party must be awarded

all costs of such litigation, including reasonable attorney's fees.

C. The remedies provided in this section are not the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

### **§2180. Effective date, withdrawal and amendment -- Article 10**

**1. Effective date.** This compact becomes effective and binding on the earlier of the date of legislative enactment of this compact into law by no fewer than 26 states or December 31, 2018. All party states to this compact that were parties to the prior compact are deemed to have withdrawn from the prior compact within 6 months after the effective date of this compact.

**2. Prior compact.** Each party state shall continue to recognize a multistate licensure privilege of a nurse to practice in that party state issued under the prior compact until that party state has withdrawn from the prior compact.

**3. Withdrawal.** A party state may withdraw from this compact by enacting a statute repealing the same. A party state's withdrawal does not take effect until 6 months after enactment of the repealing statute.

**4. Continuing requirements.** A party state's withdrawal or termination does not affect the continuing requirement of the withdrawing or terminated state's licensing board to report adverse actions and significant investigations occurring prior to the effective date of the withdrawal or termination.

**5. Agreements with nonparty states.** Nothing contained in this compact may be construed to invalidate or prevent any nurse licensure agreement or other cooperative arrangement between a party state and a nonparty state that is made in accordance with the other provisions of this compact.

**6. Amendments to compact.** This compact may be amended by a party state. An amendment to this compact does not become effective and binding upon the party states until it is enacted into the laws of all party states.

**7. Representative participation.** Representatives of nonparty states to this compact must be invited to participate in the activities of the commission, on a nonvoting basis, prior to the adoption of this compact by all states.

### **§2181. Construction and severability -- Article 11**

This compact may be liberally construed so as to effectuate its purposes. The provisions of this compact are severable, and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any party state or of the United States or if its applicability to any government,

agency, person or circumstance is held invalid, the validity of the remainder of this compact and its applicability to any government, agency, person or circumstance are not affected. If this compact is held to be contrary to the constitution of any party state, this compact remains in full force and effect as to the remaining party states and in full force and effect as to the party state affected as to all severable matters.

## PART B

**Sec. B-1. 25 MRSA §1542-A, sub-§1, ¶¶K and L,** as enacted by PL 2015, c. 300, Pt. B, §3, are amended to read:

K. Who has applied for employment with the Department of Administrative and Financial Services, Bureau of Revenue Services, Office of Tax Policy and whose fingerprints have been required by the Associate Commissioner for Tax Policy pursuant to Title 36, section 194-B; or

L. Who is assigned to provide services to the Department of Administrative and Financial Services, Bureau of Revenue Services pursuant to a contract or subcontract for services to the bureau and whose fingerprints have been required by the State Tax Assessor pursuant to Title 36, section 194-C; or

**Sec. B-2. 25 MRSA §1542-A, sub-§1, ¶M** is enacted to read:

M. Who is an applicant for licensure with the State Board of Nursing as required under Title 32, section 2111, subsection 1.

**Sec. B-3. 25 MRSA §1542-A, sub-§3, ¶L** is enacted to read:

L. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph M at the request of that person and upon payment by the person of the fee established in Title 32, section 2111, subsection 1.

**Sec. B-4. 25 MRSA §1542-A, sub-§4,** as amended by PL 2015, c. 300, Pt. B, §5, is further amended to read:

**4. Duty to submit to State Bureau of Identification.** It is the duty of the law enforcement agency taking the fingerprints as required by subsection 3, paragraphs A, B and G to transmit immediately to the State Bureau of Identification the criminal fingerprint record. Fingerprints taken pursuant to subsection 1, paragraph C, D, E or F or pursuant to subsection 5 may not be submitted to the State Bureau of Identification unless an express request is made by the commanding officer of the State Bureau of Identification. Fingerprints taken pursuant to subsection 1, paragraph G must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the

Department of Education. The bureau may not use the fingerprints for any purpose other than that provided for under Title 20-A, section 6103. The bureau shall retain the fingerprints, except as provided under Title 20-A, section 6103, subsection 9. Fingerprints taken pursuant to subsection 1, paragraph I and subsection 3, paragraph I must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the court and the Department of Public Safety, Gambling Control Board, respectively. Fingerprints taken pursuant to subsection 1, paragraph J, K or L must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Administrative and Financial Services, Bureau of Revenue Services. Fingerprints taken pursuant to subsection 1, paragraph M must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the State Board of Nursing.

**Sec. B-5. 32 MRSA §2111** is enacted to read:

### **§2111. Criminal history record information; fees**

**1. Background check.** The board shall request a background check for each person who submits an application for initial licensure or licensure by endorsement under this chapter, including an application for multistate licensure under subchapter 2-A. The background check must include criminal history record information obtained from the Maine Criminal Justice Information System and the Federal Bureau of Investigation. The following provisions apply.

A. The criminal history record information obtained from the Maine Criminal Justice Information System must include a record of public criminal history record information as defined in Title 16, section 703, subsection 8.

B. The criminal history record information obtained from the Federal Bureau of Investigation must include other state and national criminal history record information.

C. An applicant shall submit to having fingerprints taken. The State Police, upon payment of a fee established by the board by rule by the applicant, shall take or cause to be taken the applicant's fingerprints and shall forward the fingerprints to the State Bureau of Identification so that the bureau can conduct state and national criminal history record checks. Except for the portion of the payment, if any, that constitutes the processing fee charged by the Federal Bureau of Investigation, all money received by the State Police for purposes of this paragraph must be paid over to the Treasurer of State. The money must be applied to

the expenses of administration incurred by the Department of Public Safety.

D. The subject of a Federal Bureau of Investigation criminal history record check may obtain a copy of the criminal history record check by following the procedures outlined in 28 Code of Federal Regulations, Sections 16.32 and 16.33. The subject of a state criminal history record check may inspect and review the criminal history record information pursuant to Title 16, section 709.

E. State and federal criminal history record information may be used by the board for the purpose of screening each applicant. A board action against an applicant under this subsection is subject to the provisions of Title 5, chapter 341.

F. Information obtained pursuant to this subsection is confidential. The results of background checks received by the board are for official use only and may not be disseminated to the Interstate Commission of Nurse Licensure Compact Administrators established in section 2177 or to any other person or entity.

G. An applicant whose license has expired and who has not applied for renewal may request in writing that the State Bureau of Identification remove the applicant's fingerprints from the bureau's fingerprint file. In response to a written request, the bureau shall remove the applicant's fingerprints from the fingerprint file and provide written confirmation of that removal.

**2. Rules.** The board, following consultation with the State Bureau of Identification, shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. B-6. Appropriations and allocations.**

The following appropriations and allocations are made.

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

Initiative: Provides allocations to perform fingerprint-based criminal history background checks.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$28,502	\$28,502
<hr/>		
OTHER SPECIAL REVENUE FUNDS TOTAL	\$28,502	\$28,502

See title page for effective date.

**CHAPTER 259**

**S.P. 589 - L.D. 1638**

**An Act To Promote Workforce Education Attainment**

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

**Sec. 1. 26 MRSA §2006, sub-§1, ¶¶I and J,** as enacted by PL 2003, c. 114, §10, are amended to read:

I. Providing policy recommendations to ensure the effectiveness of work-related programs and services for youth, including youth with disabilities; **and**

J. Providing policy recommendations to ensure the effectiveness of work-related programs and services for "at-risk" youth; **and**

**Sec. 2. 26 MRSA §2006, sub-§1, ¶K** is enacted to read:

K. Supporting and tracking progress toward an attainment goal of increasing the percent of working-age adults holding a high-value certificate, college degree, vocational education or other industry-recognized credential to 60% by 2025 with a focus on meeting future workforce needs and reporting annually on progress to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs and the joint standing committee of the Legislature having jurisdiction over labor, business, research and economic development matters.

See title page for effective date.

**CHAPTER 260**

**S.P. 538 - L.D. 1543**

**An Act To Simplify the Licensing Process for Off-site Catering**

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

**Sec. 1. 28-A MRSA §1052, sub-§4, ¶G,** as amended by PL 1987, c. 342, §77, is further amended to read:

G. Approval by the municipal officers, or a municipal official designated by the municipal officers, of the municipality in which the proposed additional licensed premises are located, which, notwithstanding section 653, may be granted without public notice. The bureau shall accept approval required under this paragraph in elec-

tronic form submitted by the applicant or directly by the municipality to the bureau.

**Sec. 2. 28-A MRSA §1076, sub-§7, ¶D,** as enacted by PL 1987, c. 45, Pt. A, §4, is amended to read:

D. Approval by the municipal officers or a municipal official designated by the municipal officers of the municipality in which the catered function or event is to be held, which, notwithstanding the provisions of section 653, may be granted without public notice. The bureau shall accept approval required under this paragraph in electronic form submitted by the applicant or directly by the municipality to the bureau; and

See title page for effective date.

## CHAPTER 261 S.P. 469 - L.D. 1361

### An Act Regarding State Hiring and Retention for Persons with Disabilities

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

**Sec. 1. 5 MRSA §7054-C** is enacted to read:

#### **§7054-C. Person with disability preference**

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

A. "Person with a disability" means a person who has been determined by a qualified professional to have a physical or mental impairment that constitutes a substantial barrier to employment but who can benefit in terms of an employment outcome from the provision of vocational rehabilitation services.

B. "Qualified professional" means a vocational rehabilitation counselor or other professional with advanced disability training and certification.

C. "Special appointment program" means the program established by rule by the Department of Administrative and Financial Services, Bureau of Human Resources to provide persons with disabilities increased access to positions in the classified service.

D. "Ticket to Work program" means the Ticket to Work and Self-Sufficiency Program under Section 1148 of the federal Social Security Act.

**2. Interview.** In filling a position in the classified service, the employing agency shall offer an interview to a person with a disability who is eligible for

the Ticket to Work program and who meets the minimum qualifications established for the position and to a person who has been determined by a qualified professional to have a disability and who meets the minimum qualifications established for the position.

**3. Guidance and referral if not hired.** If a person with a disability applies for a position described in subsection 2 but is not selected, the Department of Administrative and Financial Services, Bureau of Human Resources shall provide guidance to the person regarding other available state positions, including opportunities in the special appointment program, for which the person might qualify. The Bureau of Human Resources may also refer the person to the Department of Labor, Bureau of Rehabilitation Services for potential vocational rehabilitation services if the person has not been referred by a qualified professional.

**4. Retention preference.** In any reduction in personnel in the state service, employees who are eligible for the Ticket to Work program or who are persons with disabilities must be retained in preference to all other competing employees in the same classification with equal seniority, status and performance reviews.

**5. Right to nondisclosure.** A person with a disability or who is eligible for the Ticket to Work program has the right to not disclose that person's disability at the time of hire but may not assert a right to a retention preference pursuant to subsection 4 at a later date.

See title page for effective date.

## CHAPTER 262 H.P. 789 - L.D. 1126

### An Act Relating to the Use and Leasing of Public Reserved Lands

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

**Whereas,** bear hunting begins on August 28th and the bear baiting season begins on July 29th and certain clarifications in law relating to the placement of bait on public reserved lands need to be made before this season begins to avoid confusion and to ensure that persons who make a living as bear hunting guides are not negatively affected; 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. 12 MRSA §1847, sub-§5** is enacted to read:

**5. Bear baiting permitted.** The bureau shall adopt rules permitting bear baiting on public reserved lands consistent with its land management responsibilities. The rules must permit bear baiting at sites that are accessible by road and sites that are not accessible by road but are accessible by water. Rules adopted under this subsection are routine technical rules as described in Title 5, chapter 375, subchapter 2-A.

**Sec. 2. Amendment of bear baiting rules; permits.** Within 120 days of the effective date of this Act, the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands shall amend its rules governing bear baiting on public lands, adopted pursuant to its general responsibilities under the Maine Revised Statutes, Title 12, section 1802, to conform to the specific requirements of Title 12, section 1847, subsection 5. The bureau shall issue a permit to place bear bait on public reserved land at a site not accessible by road but accessible by water to any licensed Maine guide who applies in 2017 for such a permit if the applicant held such a permit for that site in 2016 and has not since become ineligible to obtain a permit to place bear bait on public reserved land, unless the bureau finds there is a valid land management reason for not issuing such a permit. If the bureau makes that finding, it must provide the licensed Maine guide a written explanation of that reason. If the permit is denied for a valid land management reason, the bureau shall work with the applicant to seek to find a suitable alternative site that meets the needs of the applicant.

**Sec. 3. Law governing lease of certain land in T16 R6.** This section governs the leasing of certain public reserved land in Township 16, Range 6.

**1. Definitions.** As used in this section, the following terms have the following meanings.

A. "Director" means the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry.

B. "Class A restaurant" has the same meaning as in the Maine Revised Statutes, Title 28-A, section 2, subsection 15, paragraph R.

C. "Current lease" means the leasehold interest current as of the effective date of this Act in the sporting camp lot.

D. "Sporting camp lot" means the public reserved land in Township 16, Range 6 that, current as of the effective date of this Act, is the subject of a

lease from the State to Eagle Lake Sporting Camps.

**2. Renewal of current lease for 30 years.** Notwithstanding the Maine Revised Statutes, Title 12, section 1852, subsection 5 or any other provision of law to the contrary, the director shall amend the current lease to change the term from 15 years to 30 years. All other terms of the lease remain the same. The director shall issue a new lease incorporating this change.

**3. Renewal options.** Notwithstanding the Maine Revised Statutes, Title 12, section 1852, subsection 5 or any other provision of law to the contrary, the leasehold interest in the sporting camp lot may be renewed for successive terms of 30 years each in accordance with the following.

A. The lessee may request a renewal under this subsection at any time during the 10 calendar years prior to the end of the term of any then-existing 30-year lease.

B. The director shall renew the lease if the land continues to be used for a year-round sporting camp or Class A restaurant and lodge open to the public and if the lessee is in compliance with all terms and conditions of the lease and all other applicable laws and rules of the State. The director, upon receiving a request under paragraph A, must, within a reasonable time, either grant the renewal in accordance with this subsection or explain to the leaseholder the reasons why the conditions of this paragraph have not been met.

C. A renewal granted under this subsection commences at the end of the term of the then-existing lease.

**4. Transfer.** The director may authorize, on reasonable terms and conditions, a transfer of the leasehold interests in the sporting camp lot to another entity if the Eagle Lake Sporting Camps business is sold to another entity, as long as the sale of the business is at an appraised fair market value and the sporting camp lot continues to be used for a year-round sporting camp or Class A restaurant and lodge open to the public, as specified in the lease agreement, and the transferee agrees to comply with all terms and conditions of the lease and all other applicable laws and rules of the State.

This section takes effect 90 days after the adjournment of the First Regular Session of the 128th Legislature.

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

Effective June 27, 2017, unless otherwise indicated.

**CHAPTER 263**  
**H.P. 1104 - L.D. 1601**

**An Act To Increase Funds  
Deposited into the Companion  
Animal Sterilization Fund  
through the Pet Food  
Surcharge**

**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 imperative to provide additional funds for spaying and neutering companion animals owned by low-income residents of Maine; and

**Whereas,** the funding source already exists and continues to grow; and

**Whereas,** directing additional existing funds to go into the Companion Animal Sterilization Fund as soon as possible will help reduce companion animal overpopulation; 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 2009, c. 148, §1, 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 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 up to \$157,000 into the Animal Welfare Fund established under section 3906-B, subsection 2. The commissioner shall deposit all surcharges received for a registration year in excess of \$157,000 into the Companion Animal Sterilization Fund established under section 3910-B.

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

Effective June 27, 2017.

**CHAPTER 264**  
**H.P. 849 - L.D. 1217**

**An Act To Implement the  
Recommendations of the  
Government Oversight  
Committee To Improve the  
Efficiency and Effectiveness of  
Evaluations of the State's  
Investments in Economic  
Development**

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

**Sec. 1. 5 MRSA §13051,** as corrected by RR 2013, c. 2, §5, is repealed.

**Sec. 2. 5 MRSA §13053, first ¶,** as amended by PL 1987, c. 816, Pt. P, §6, is further amended to read:

The Department of Economic and Community Development is established to encourage economic and community planning and development policies and programs of the State and to coordinate these programs and policies within the context of a state economic development strategy plan and the long-term economic plan for the State developed pursuant to Title 10, section 929-A, subsection 1. The department is also established to work with municipalities and regional planning and economic development organizations to build strong local and regional economics and to implement programs and services through these local and regional organizations.

**Sec. 3. 5 MRSA §13056-A,** as amended by PL 2011, c. 563, §2, is repealed.

**Sec. 4. 5 MRSA §13056-B,** as amended by PL 2009, c. 337, §1, is repealed.

**Sec. 5. 5 MRSA §13056-C,** as amended by PL 2011, c. 563, §3, is repealed.

**Sec. 6. 5 MRSA §13058, sub-§5,** as amended by PL 2009, c. 337, §3, is further amended to read:

**5. Review of program; report to Governor and Legislature.** The commissioner shall review and evaluate the programs and functions of the department and the operation of the economic delivery system using the information available from the long-term economic plan for the State pursuant to Title 10, section 929-A, subsection 1, the evaluation of state economic development ~~evaluation~~ investments pursuant

to section ~~13056-A~~ 13070-P and the evaluations of tax expenditures pursuant to Title 3, section 999. The commissioner shall report the commissioner's findings and recommendations with respect to the issues described in this subsection to the Governor and to the Legislature no later than February 1st of each first regular session of the Legislature. The commissioner shall conduct the review and evaluation with respect to the following:

- A. The purpose of these programs and the degree to which the purpose is being met;
- B. The degree of significance of the purpose of the programs and functions of the department;
- C. The extent of the coordination of programs and services as required in subsection 4;
- D. The needs, problems and opportunities that are not being met by the programs and services of the department;
- E. The types of programs and services necessary to meet the needs, problems and opportunities as set out in paragraph D;
- F. The problems and successes in the economic delivery system;
- G. The state of small business in this State, including economic data, the effectiveness of state programs to aid small business, problems of small business that may be affected by state policies and such other information on small business as desired by the commissioner;
- H. Within available resources, the extent of business growth and change, including business expansions, new businesses and business closings;
- I. Within available resources, the status of investments in business in the State; and
- J. The extent to which the purposes of the Maine Downtown Center are being met.

**Sec. 7. 5 MRSA §13063-O, sub-§1, ¶C**, as amended by PL 2009, c. 337, §4, is further amended to read:

- C. Each year, submit a report to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters. The report must include:
- (1) An accounting of the use of all program funds received and expended since the program's inception;
  - (2) A summary of the status of any approved projects;
  - (3) A summary of the results of any completed projects;

- (4) Evaluation data and assessment consistent with section ~~13056-A~~ 13070-P; and
- (5) Other information required to be submitted and evaluated by the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters.

**Sec. 8. 5 MRSA §13070-J, sub-§1**, as amended by PL 2015, c. 494, Pt. B, §1, is further amended to read:

**1. Definitions.** As used in this article, unless the context otherwise indicates, the following terms have the following meanings.

~~B. "Commissioner" means the Commissioner of Economic and Community Development.~~

~~C. "Department" means the Department of Economic and Community Development.~~

D. "Economic development incentive" means federal and state statutorily defined programs that receive state funds, dedicated revenue funds and tax expenditures as defined by section 1666 whose purposes are to create, attract or retain business entities related to business development in the State, ~~including but not limited to:~~

- ~~(1) Assistance from Maine Quality Centers under Title 20 A, chapter 431 A;~~
- ~~(2) The Governor's Jobs Initiative Program under Title 26, chapter 25, subchapter 4;~~
- ~~(3) Municipal tax increment financing under Title 30 A, chapter 206;~~
- ~~(4) The jobs and investment tax credit under Title 36, section 5215;~~
- ~~(5) The research expense tax credit under Title 36, section 5219 K;~~
- ~~(6) Reimbursement for taxes paid on certain business property under Title 36, chapter 915;~~
- ~~(7) Employment tax increment financing under Title 36, chapter 917;~~
- ~~(8) The shipbuilding facility credit under Title 36, chapter 919;~~
- ~~(9) The credit for seed capital investment under Title 36, section 5216 B; and~~
- ~~(11) The credit for Maine fishery infrastructure investment under Title 36, section 5216 D.~~

D-1. "Economic development investments" means commitments of state funds, dedicated revenue funds and tax expenditures as defined by section 1666 for research and development activities and economic development incentive programs.

E. "Economic development proposal" means proposed legislation that establishes a new program or that expands an existing program that:

- (1) Is intended to encourage significant business expansion or retention in the State; and
- (2) Contains a tax expenditure, as defined in section 1666, or a budget expenditure with a cost that is estimated to exceed \$100,000 per year.

F. "Research and development activities" means activities that directly or through capital investment support basic and applied scientific research and related commercial development funded by state appropriations and bond proceeds.

G. "State strategic economic improvement plan" means the long-term economic plan for the State's economy developed by the Maine Economic Growth Council pursuant to Title 10, section 929-A, subsection 1.

**Sec. 9. 5 MRSA §13070-J, sub-§2,** as amended by PL 2001, c. 481, §2, is repealed.

**Sec. 10. 5 MRSA §13070-J, sub-§2-A** is enacted to read:

**2-A. Disclosure.** The following provisions govern disclosure requirements.

A. An applicant for an economic development incentive shall at a minimum identify in writing:

- (1) The public purpose that will be served by the business through use of the economic development incentive and the specific uses to which the benefits will be put; and
- (2) The goals of the business for the number, type and wage levels of jobs to be created or retained as a result of the economic development incentive received.

Applications filed for economic development incentives are public records for purposes of Title 1, chapter 13.

B. To assist the department in preparing the comprehensive evaluation of state investments in economic development pursuant to section 13070-P, subsection 1, a recipient of state funding for research and development activities or economic development incentives, including General Fund appropriations, dedicated revenue, tax expenditures as defined in section 1666 and general obligation bond proceeds for economic development, shall, in addition to any other reporting requirements required by law, collect, maintain and provide data as requested by the department.

**Sec. 11. 5 MRSA §13070-J, sub-§4,** as amended by PL 2009, c. 337, §5, is further amended to read:

**4. Agency reports.** The following agencies shall submit the following reports.

A. The State Tax Assessor shall submit a report by October 1st annually to the Legislature and the department identifying the amount of public funds spent and the amount of revenues foregone as the result of economic development incentives. The report must identify the amount of the economic development incentives under the jurisdiction of the Bureau of Revenue Services received by each business to the extent permitted under Title 36, section 191 and other provisions of law concerning the confidentiality of information.

B. The Commissioner of Labor shall report by October 1st annually to the Legislature and the department on the amount of public funds spent on workforce development and training programs directly benefiting businesses in the State. The report must identify the amount of economic development incentives under the jurisdiction of the Department of Labor received by each business and the public benefit resulting from those economic development incentives.

C. The Maine Community College System shall report by October 1st annually to the Legislature and the department on the amount of public funds spent on job training programs directly benefiting businesses in the State. The report must identify the amount of economic development incentives under the jurisdiction of the system received by each business and the public benefit resulting from those economic development incentives.

**Sec. 12. 5 MRSA §13070-O, sub-§1, ¶J,** as enacted by PL 2007, c. 434, §8, is amended to read:

J. Require that a business that receives benefits under the program have a business statement that includes the requirements of section 13070-J, subsection ~~2~~ 2-A.

**Sec. 13. 5 MRSA §13070-P** is enacted to read:

**§13070-P. Comprehensive evaluation of state investments in economic development**

**1. Conduct evaluation.** By February 1, 2021, and every 4 years thereafter, the commissioner shall submit a comprehensive evaluation of state economic development investments, referred to in this section as "the evaluation," not to include programs subjected to independent evaluations required by federal programs, to the Governor and the Legislature.

A. The scope of the evaluation must include research and development activities and economic development incentives in this State.

B. The evaluation must be performed by independent, objective reviewers.

C. The evaluation objectives include, but are not limited to, an assessment of:

(1) The extent to which the State's portfolio of economic development investments, particularly in terms of level and types of investments, aligns with and supports the state strategic economic improvement plan;

(2) The extent to which individual activities and programs, or groups of activities and programs, within the State's portfolio are contributing to the achievement of particular goals, measurable objectives and performance targets associated with the state strategic economic improvement plan;

(3) How the State's portfolio of economic development investments, particularly in terms of level and types of investments, compares to investments in other states;

(4) The effect of the State's economic development investments in improving the competitiveness of the State's established and emerging technology and industry sectors in regional, national and global arenas; and

(5) The extent to which the overall framework for the State's economic development investments provides for sufficient transparency and accountability, effective and efficient coordination among the State's activities and programs and easy access for interested businesses and other entities.

D. The evaluation must include recommendations to the department, the Governor and the Legislature on any identified:

(1) Opportunities to modify the current portfolio of state economic development investments, particularly with regard to level of investment or types of activities and programs, in order to better align resources with the state strategic economic improvement plan and more cost-effectively support achievement of goals, objectives and performance targets associated with the plan;

(2) Opportunities to shift investments from economic development activities and programs to other state efforts in order to better align resources with the state strategic economic improvement plan and more cost-effectively support achievement of goals, objectives and performance targets associated with the plan;

(3) Opportunities to improve transparency and accountability for state economic development investments, coordination among economic activities and programs in the port-

folio or accessibility of business and other entities to those activities and programs; and

(4) Areas for improvement.

E. In planning and conducting the evaluation, the department and independent reviewers may consider pertinent information available from the Maine Economic Growth Council, as established in Title 10, section 929-A, and from reviews conducted by the Office of Program Evaluation and Government Accountability, as established in Title 3, section 991. The independent reviewers may consult with the Office of Program Evaluation and Government Accountability on accessing data, confidential or otherwise, necessary for the evaluation.

**2. Action on evaluation recommendations.** By February 1, 2021 and every 4 years thereafter, the commissioner shall present the evaluation and results from the most recent evaluation required under this section to the joint standing committee of the Legislature having jurisdiction over labor, commerce, research and economic development matters. The commissioner shall report to the Governor and the committee on actions planned by the department and other entities administering the programs to address the recommendations made. The committee shall also consider the independent reviewers' recommendations and may submit a bill to the Legislature to implement recommendations.

By February 1, 2023 and by February 1st every 4 years thereafter, the commissioner shall submit to the Governor and the joint standing committee of the Legislature having jurisdiction over labor, commerce, research and economic development matters a progress report related to the evaluation required under this section that describes the implementation status of the planned actions to address the recommendations from the prior evaluation.

**Sec. 14. 5 MRSA §13070-Q** is enacted to read:

**§13070-Q. Maine Economic Development Evaluation Fund**

**1. Fund established.** The Maine Economic Development Evaluation Fund, referred to in this section as "the fund," is established as a nonlapsing Other Special Revenue Funds account administered by the department for the purposes of funding the comprehensive economic development investments evaluation required pursuant to section 13070-P, subsection 1.

**2. Fund sources.** The fund receives money deposited by the Treasurer of State pursuant to this section and any other gift, grant or other source of revenue deposited for funding the comprehensive economic development investments evaluation required pursuant to section 13070-P, subsection 1.

**3. Payments to fund.** Notwithstanding section 1585 or any other provision of law:

A. The department shall assess agencies or private entities that receive General Fund appropriations or general obligation bonds for economic development incentives an amount for contribution to the fund that is not to exceed 0.8% of General Fund appropriations received by or general obligation bonds issued to an agency or entity for economic development incentives. Private entities that receive funds from general obligation bonds for economic development incentives shall pay to the Treasurer of State in the fiscal year in which the general obligation bond was issued an assessment amount determined by the department that is not to exceed 0.8% of the proceeds from the bond issue in any fiscal year, which payment must be made from available resources other than bond proceeds. Only those programs that receive \$250,000 or more in economic development appropriations in any fiscal year or those entities that receive funds from a general obligation bond issue of \$250,000 or more for economic development incentives in any fiscal year, as identified and certified by the department and the Office of Fiscal and Program Review, may be assessed pursuant to this subsection. The department shall provide to each agency or private entity that is assessed a payment under this paragraph an annual budget for the fund and a detailed account of each institution's required assessment. Total payments made pursuant to this paragraph may not exceed \$200,000 in any fiscal year; and

B. Agencies or private entities that receive General Fund appropriations or general obligation bonds for research and development activities shall contribute to the fund an amount not to exceed 0.8% of General Fund appropriations received by and general obligation bonds issued to an agency or entity for research and development activities. Private entities that receive funds from general obligation bonds for research and development activities shall pay to the Treasurer of State in the fiscal year in which the general obligation bond was issued an amount not to exceed 0.8% of the proceeds from the bond issue in any fiscal year, which payment must be made from available resources other than bond proceeds. Only those programs that receive \$500,000 or more in research and development appropriations in any fiscal year, or those entities that receive funds from a general obligation bond issue of \$500,000 or more for research and development activities in any fiscal year, as identified and certified by the Office of Innovation, established pursuant to section 13105, and the Office of Fiscal and Program Review, may be assessed. The Office of Innovation shall provide to each agency or

private entity that is assessed a payment under this paragraph an annual budget for the fund and a detailed account of each institution's required assessment. Total payments made pursuant to this paragraph may not exceed \$200,000 in any fiscal year.

**Sec. 15. 5 MRSA §13107**, as amended by PL 2011, c. 563, §§8 and 9 and c. 655, Pt. EE, §10 and affected by §30, is repealed.

**Sec. 16. 5 MRSA §13108**, as enacted by PL 2003, c. 673, Pt. M, §8, is repealed.

**Sec. 17. 5 MRSA §13109**, as amended by PL 2009, c. 337, §7, is repealed.

**Sec. 18. Appropriations and allocations.** The following appropriations and allocations are made.

**ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF**

**Maine Research and Development Evaluation Fund 0985**

Initiative: Deallocates funds for the Maine Research and Development Evaluation Fund.

	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	(\$200,000)	(\$200,000)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	(\$200,000)	(\$200,000)

See title page for effective date.

**CHAPTER 265**

**H.P. 955 - L.D. 1376**

**An Act To Remove Barriers to Workforce Development in Alcohol and Drug Counseling**

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

**Sec. 1. 22 MRSA §3174-L, sub-§3** is enacted to read:

**3. Licensed clinical professional counselors.** A licensed clinical professional counselor, as defined in Title 32, section 13851, subsection 2, must be eligible to receive MaineCare reimbursement for counseling services at the same rate as a licensed clinical social worker, as defined in Title 32, section 7001-A, subsection 6.

**Sec. 2. 32 MRSA §6207-B** is enacted to read:

**§6207-B. Confidential information**

The nonbusiness address of a person licensed or certified under this chapter is confidential, not open to the public and not a public record as defined in Title 1, section 402, subsection 3.

**Sec. 3. 32 MRSA §6214-D, sub-§1, ¶D**, as enacted by PL 2003, c. 347, §16 and affected by §25, is amended to read:

D. Meet one of the following educational requirements:

(1) ~~A high school diploma or its equivalent, course work as defined by board rule and a minimum of 6,000 hours of documented supervised practice in alcohol and drug counseling or Complete 2,000 hours if the applicant holds a valid of documented supervised practice in alcohol and drug counseling as a certified alcohol and drug counselor certification;~~

(2) ~~An Possess an associate or bachelor's degree from an accredited college or university in clinically based behavioral sciences or addiction counseling or a related field as defined by board rule, course work as defined by board rule and complete a minimum of 4,000 hours of documented supervised practice in alcohol and drug counseling, except that an applicant who holds a bachelor's degree from an accredited college or university that meets the requirements of this subparagraph and who has completed at least 18 credit hours of course work in addiction counseling need only complete a minimum of 2,000 hours of documented supervised practice in alcohol and drug counseling; or~~

(3) ~~A Possess a master's degree from an accredited college or university in clinically based behavioral sciences or addiction counseling or a related field as defined by board rule, course work as defined by board rule and a minimum of 2,000 hours of documented supervised practice in alcohol and drug counseling, except that an applicant who holds a master's degree from an accredited college or university that meets the requirements of this subparagraph and who has completed at least 12 credit hours of course work in addiction counseling need only complete a minimum of 1,500 hours of documented supervised practice in alcohol and drug counseling.~~

**Sec. 4. State Board of Alcohol and Drug Counselors to amend rules.** No later than January 1, 2018, the Department of Professional and Financial Regulation, State Board of Alcohol and Drug Counselors shall amend its rules regarding continuing pro-

fessional education for alcohol and drug counselors as follows.

1. Reduce the hours for continuing professional education for certified alcohol and drug counselors from 24 contact hours every 2 years to 18 contact hours every 2 years.

2. Reduce the hours for continuing professional education for licensed alcohol and drug counselors from 36 contact hours every 2 years to 25 contact hours every 2 years.

3. Reduce the hours for continuing professional education for licensed alcohol and drug counselors who are also certified clinical supervisors from a total of 48 contact hours every 2 years to a total of 37 contact hours every 2 years.

4. Increase the maximum hours allowed for distance learning as a permissible continuing education activity from 10 hours to 20 hours.

Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

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**CHAPTER 266**

**H.P. 1083 - L.D. 1572**

**An Act To Implement  
Recommendations of the  
Government Oversight  
Committee To Improve the  
Efficiency and Effectiveness of  
Legislative Reviews of Tax  
Expenditures**

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

**Sec. 1. 3 MRSA §998, sub-§2**, as enacted by PL 2015, c. 344, §4, is amended to read:

**2. Schedule.** ~~By October 1, 2015, the~~ The committee, in consultation with the policy committee, shall establish a prioritized schedule of ongoing review of the tax expenditures assigned to the full evaluation and expedited review categories pursuant to subsection 1, paragraphs A and B. To the extent practicable, the committee shall schedule group the review of tax expenditures with similar goals ~~during the same year together.~~

**Sec. 2. 3 MRSA §999, sub-§1, ¶A**, as enacted by PL 2015, c. 344, §4, is amended to read:

**A.** ~~By January 31st of each year~~ Prior to the beginning of each evaluation, the committee, after consideration of recommendations from the of-

office, shall approve the following for each tax expenditure subject to full evaluation ~~review in that year~~:

- (1) The purposes, intent or goals of the tax expenditure, as informed by original legislative intent as well as subsequent legislative and policy developments and changes in the state economy and fiscal condition;
- (2) The intended beneficiaries of the tax expenditure;
- (3) The evaluation objectives, which may include an assessment of:
  - (a) The fiscal impact of the tax expenditure, including past and estimated future impacts;
  - (b) The extent to which the design of the tax expenditure is effective in accomplishing the tax expenditure's purposes, intent or goals and consistent with best practices;
  - (c) The extent to which the tax expenditure is achieving its purposes, intent or goals, taking into consideration the economic context, market conditions and indirect benefits;
  - (d) The extent to which those actually benefiting from the tax expenditure are the intended beneficiaries;
  - (e) The extent to which it is likely that the desired behavior might have occurred without the tax expenditure, taking into consideration similar tax expenditures offered by other states;
  - (f) The extent to which the State's administration of the tax expenditure, including enforcement efforts, is efficient and effective;
  - (g) The extent to which there are other state or federal tax expenditures, direct expenditures or other programs that have similar purposes, intent or goals as the tax expenditure, and the extent to which such similar initiatives are coordinated, complementary or duplicative;
  - (h) The extent to which the tax expenditure is a cost-effective use of resources compared to other options for using the same resources or addressing the same purposes, intent or goals; and
  - (i) Any opportunities to improve the effectiveness of the tax expenditure in meeting its purposes, intent or goals; and

(4) The performance measures appropriate for analyzing the evaluation objectives. Performance measures must be clear and relevant to the specific tax expenditure and the approved evaluation objectives.

**Sec. 3. 3 MRSA §999, sub-§§2 and 3**, as enacted by PL 2015, c. 344, §4, are amended to read:

**2. Action by office; report.** ~~By December 31st of each year, beginning in 2016, the~~ The office shall complete the tax expenditure evaluations pursuant to subsection 1 scheduled for that year and submit a report on the results of each evaluation to the committee and the policy committee. The office shall seek stakeholder input as part of the report. For each tax expenditure evaluated, the report must include conclusions regarding the extent to which the tax expenditure is meeting its purposes, intent or goals and may include recommendations for continuation or repeal of the tax expenditure or modification of the tax expenditure to improve its performance.

**3. Action by committee.** The committee shall review the report submitted by the office under subsection 2, assess the report's objectivity and credibility and vote whether to endorse the report. ~~By June 1st of each year, beginning in 2017, the~~ The committee shall submit a record of the vote on ~~the report~~ any reports submitted by the office and any comments of or actions recommended by the committee to the policy committee for its review and consideration.

See title page for effective date.

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## CHAPTER 267

### H.P. 639 - L.D. 911

#### An Act To Prohibit Certain Gifts to Health Care Practitioners

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

**Sec. 1. 32 MRSA §13759** is enacted to read:

**§13759. Gifts to practitioners prohibited**

**1. Prohibition.** Except as provided in subsection 2, a manufacturer or wholesaler licensed under section 13758 or an agent of a manufacturer or wholesaler licensed under section 13758 may not offer or give the following to a practitioner:

A. A cash gift in any amount; or

B. A gift for which reciprocity is expected or implied.

**2. Exceptions.** A manufacturer or wholesaler licensed under section 13758 does not violate subsection 1 by engaging in the following activities:

A. Giving noncash items of minimal value that will directly benefit the practitioner's patients, including:

- (1) Prescription drug samples for distribution to patients;
- (2) Educational materials; and
- (3) Modest meals and refreshments, as defined by the board by rule pursuant to section 13720, provided to a practitioner in connection with a meeting or presentation about the benefits, risks and appropriate uses of prescription drugs or medical devices, disease states or other scientific information, as long as the meeting or presentation occurs in a venue and manner conducive to informational communication;

B. Giving funding to academic institutions and residency and fellowship programs to support the participation of medical, nursing, physician assistant, veterinarian and pharmacy students, residents and fellows in professional meetings, including educational meetings, as long as the program identifies such funding recipients based on independent institutional criteria and the funds are distributed to recipients without specific attribution to sponsors; or

C. Giving reasonable honoraria to a practitioner and making payment of the reasonable expenses, as defined by the board by rule pursuant to section 13720, of a practitioner at a professional or educational conference or meeting.

Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 268**

**H.P. 705 - L.D. 1004**

**An Act To Increase Reporting on Wage and Hour Violations**

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

**Sec. 1. 26 MRSA §673** is enacted to read:

**§673. Report**

**1. Annual report.** The Department of Labor shall provide a written report to the joint standing committee of the Legislature having jurisdiction over labor matters no later than February 15th of each year. The report must include the following specific information regarding complaints received by the department regarding each violation of the wage and hour

laws under this chapter for which the department has taken final action:

- A. Industry;
- B. Fines sought by the department;
- C. Fines collected by the department; and
- D. Length of time between the filing of the complaint and final resolution.

The report must also provide, in regard to violations of the wage and hour laws under this chapter, annual aggregate data on the number of complaints filed, number of resolutions of complaints and total amount of fines collected.

The report required by this subsection need not include information already provided to the committee in another report required by law that is issued to the committee in the same calendar year.

See title page for effective date.

**CHAPTER 269**

**H.P. 929 - L.D. 1335**

**An Act To Provide Youth Mental Health First Aid Training to Secondary School Health Educators**

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

**Sec. 1. 20-A MRSA c. 223, sub-c. 10** is enacted to read:

**SUBCHAPTER 10**

**YOUTH MENTAL HEALTH FIRST AID TRAINING**

**§6671. Youth mental health first aid training**

A school administrative unit shall establish a youth mental health first aid training program for health educators in secondary schools in the unit pursuant to this section.

**1. Recipients of training.** A school administrative unit shall schedule training for and ensure training is provided to health educators in secondary schools in the unit responsible for implementing health education pursuant to section 4723.

**2. Providers of training.** A school administrative unit shall ensure training is delivered by trainers who are properly certified by a national organization for behavioral health to provide training pursuant to subsection 3.

**3. Content of training.** The training provided pursuant to this section must be in compliance with a

course of instruction in youth mental health first aid operated by the national organization for behavioral health under subsection 2 and include training on the skills, resources and knowledge necessary to assist students in crisis to connect with appropriate local mental health care services, training on mental health resources, including the location of local community mental health centers, and training on action plans and protocols for referral to such resources. Recipients of the training must also receive training to:

- A. Safely de-escalate crisis situations;
- B. Recognize the signs and symptoms of mental illness, including such psychiatric conditions as schizophrenia, bipolar disorder, major clinical depression and anxiety disorders; and
- C. Timely refer students to mental health services in the early stages of their development of mental disorders to avoid subsequent behavioral health care and to enhance the effectiveness of mental health services.

**4. Available funding.** A school administrative unit is required to meet the requirements of this section only if it has received funding specifically for this purpose from federal funding, private funding or other funding sources.

See title page for effective date.

## CHAPTER 270

### H.P. 939 - L.D. 1349

#### An Act Regarding the Licensure of Appraisal Management Companies

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

Sec. 1. 32 MRSA c. 124-A is enacted to read:

#### CHAPTER 124-A

#### APPRAISAL MANAGEMENT COMPANY LICENSING

##### §14041. Short title

This chapter may be known and cited as "the Appraisal Management Company Licensing Act."

##### §14042. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

**1. Appraisal.** "Appraisal" has the same meaning as in section 14002, subsection 1.

**2. Appraisal assignment.** "Appraisal assignment" means an agreement between an appraiser and

an appraisal management company to provide an appraisal service. "Appraisal assignment" does not include an appraisal review or quality control examination.

**3. Appraisal management company.** "Appraisal management company" means a person that:

A. Provides appraisal management services to creditors or secondary mortgage market participants with appraisers who are part of an appraiser panel that includes more than 15 appraisers who are independent contractors;

B. Provides appraisal management services in connection with valuing a consumer's principal dwelling as security for a consumer credit transaction or incorporating such transactions into securitizations; and

C. Within a calendar year or a 12-month period established by board rule, oversees an appraiser panel of more than 15 certified or licensed appraisers in one state or 25 or more certified or licensed appraisers in more than one state.

"Appraisal management company" does not include a department or division of an entity that provides appraisal management services only to that entity.

**4. Appraisal management service.** "Appraisal management service" means:

A. Recruiting, selecting and retaining appraisers;

B. Contracting with appraisers to perform appraisal assignments;

C. Managing the process of having an appraisal performed, including, but not limited to:

(1) Providing administrative services;

(2) Receiving appraisal orders and appraisal reports;

(3) Submitting completed appraisal reports to creditors and secondary market participants;

(4) Collecting fees from creditors and secondary market participants for services provided; and

(5) Paying appraisers for services performed; and

D. Reviewing and verifying the work of appraisers.

**5. Appraisal review.** "Appraisal review" means the act or process of developing and communicating an opinion about the quality of the work performed by an appraiser as part of an appraisal assignment, which may take into account the appraiser's data collection, analysis, opinions, conclusions, estimate of value or compliance with the Uniform Standards of Profes-

sional Appraisal Practice. "Appraisal review" does not include a quality control examination.

**6. Appraisal service.** "Appraisal service" means an act or process of completing an appraisal assignment.

**7. Appraiser.** "Appraiser" means a person licensed under chapter 124.

**8. Appraiser panel.** "Appraiser panel" means a network, list or roster of licensed or certified appraisers approved by an appraisal management company to perform appraisals as independent contractors for the appraisal management company. "Appraiser panel" includes appraisers accepted by an appraisal management company for consideration for future appraisal assignments in covered transactions or for secondary mortgage market participants in connection with covered transactions and appraisers engaged by an appraisal management company to perform one or more appraisals in covered transactions or for secondary mortgage market participants in connection with covered transactions.

**9. Board.** "Board" means the Board of Real Estate Appraisers under section 14011.

**10. Client.** "Client" means a person that contracts with or otherwise enters into an agreement with an appraisal management company for the performance of appraisal management services.

**11. Consumer credit.** "Consumer credit" means credit offered or extended to a consumer primarily for personal, family or household purposes.

**12. Controlling person.** "Controlling person" means:

A. An owner, officer or director of an appraisal management company;

B. An individual employed, appointed or authorized by an appraisal management company who has authority to enter into a contractual relationship with other persons for the performance of appraisal management services and has authority to enter into agreements with appraisers for the performance of appraisal services; or

C. An individual who is authorized to, directly or indirectly, direct or cause the direction of the management or policies of an appraisal management company.

**13. Covered transaction.** "Covered transaction" means a consumer credit transaction secured by a consumer's principal dwelling.

**14. Creditor.** "Creditor" means a person who regularly extends consumer credit that is subject to a finance charge or is payable by written agreement in more than 4 installments, not including a down payment, and to whom the obligation is initially payable,

either on the face of the note or contract or by agreement when there is no note or contract. For the purpose of this subsection, a person regularly extends consumer credit if the person:

A. Extended credit, other than credit subject to the requirements of 12 Code of Federal Regulations, Section 1026.32 more than 5 times for transactions secured by a dwelling in the preceding calendar year; or

B. In any 12-month period, originates more than one credit extension that is subject to the requirements of 12 Code of Federal Regulations, Section 1026.32 or one or more such credit extensions through a mortgage broker.

**15. Dwelling.** "Dwelling" means a residential structure that contains one to 4 units, whether or not the structure is attached to real property. "Dwelling" includes an individual condominium unit, cooperative unit, mobile home and trailer, if it is used as a residence.

**16. Federal appraisal subcommittee.** "Federal appraisal subcommittee" means the Appraisal Subcommittee of the Federal Financial Institutions Examination Council under 12 United States Code, Chapter 34.

**17. Federal financial institutions regulatory agency.** "Federal financial institutions regulatory agency" means the federal Office of the Inspector General, Consumer Financial Protection Bureau, Federal Housing Finance Agency or Board of Governors of the Federal Reserve System; the Federal Deposit Insurance Corporation; the Office of the Comptroller of the Currency; or the National Credit Union Administration.

**18. Federally regulated appraisal management company.** "Federally regulated appraisal management company" means an appraisal management company that is owned and controlled by an insured depository institution, as defined in 12 United States Code, Section 1813 and regulated by the federal Office of the Comptroller of the Currency; Office of the Inspector General, Board of Governors of the Federal Reserve System; or the Federal Deposit Insurance Corporation.

**19. Federally related transaction.** "Federally related transaction" has the same meaning as in section 14002, subsection 9.

**20. Federally related transaction regulations.** "Federally related transaction regulations" means regulations established by a federal financial institutions regulatory agency pursuant to Title XI, Sections 1112, 1113 and 1114 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, 12 United States Code, Sections 3341 to 3343.

**21. Person.** "Person" means an individual, firm, partnership, association, corporation, limited liability company, sole proprietorship or any other entity.

**22. Principal dwelling.** "Principal dwelling" means a consumer's principal dwelling. "Principal dwelling" includes a dwelling a consumer buys or builds that will become the consumer's principal dwelling within one year or upon the completion of construction. "Principal dwelling" does not include a vacation or other second home.

**23. Quality control examination.** "Quality control examination" means an examination of an appraisal report for completeness, including for grammatical, mathematical and typographical errors. "Quality control examination" does not include an appraisal review.

**24. Secondary mortgage market participant.** "Secondary mortgage market participant" means a guarantor or insurer of mortgage-backed securities, or an underwriter or issuer of mortgage-backed securities. "Secondary mortgage market participant" includes an individual investor in a mortgage-backed security only if that investor is also a guarantor, issuer, underwriter or issuer of the mortgage-backed security.

**25. Uniform Standards of Professional Appraisal Practice.** "Uniform Standards of Professional Appraisal Practice" has the same meaning as in section 14002, subsection 15.

#### **§14043. License required**

**1. License.** A person shall obtain a license from the board before:

- A. Directly or indirectly engaging or to attempting to engage in business as an appraisal management company;
- B. Directly or indirectly performing or attempting to perform appraisal management services; or
- C. Advertising or holding the person out as engaging in or conducting business as an appraisal management company.

**2. Application.** An applicant for licensure as an appraisal management company shall submit to the board an application on forms prescribed by the board and pay a fee established by the board. The board shall review and approve or deny an application for an initial license or an application for renewal of a license.

**3. Consent to service of process.** An applicant for licensure as an appraisal management company shall complete an irrevocable consent to service of process as prescribed by the board.

**4. Information required.** An appraisal management company licensed or applying to be licensed shall provide to the board all information that the

board is required to submit to the federal appraisal subcommittee pursuant to regulations or guidance promulgated by the federal appraisal subcommittee.

**5. Federally regulated appraisal management companies.** Notwithstanding subsection 1, a federally regulated appraisal management company is not required to obtain a license from the board. A federally regulated appraisal management company shall:

A. Notify the board of its intent to operate in the State; and

B. Provide to the board information required to be submitted by the board to the federal appraisal subcommittee pursuant to regulations and policies of the federal appraisal subcommittee regarding the determination of a national registry fee under section 14045, subsection 2.

#### **§14044. License renewal**

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 14045. Licenses may be renewed up to 90 days after the date of expiration upon payment of a late fee, as set under section 14045.

The board shall deny a renewal license to any applicant whose license has lapsed for more than 90 days unless the applicant satisfies the provisions governing new applicants under this subchapter.

#### **§14045. Fees**

**1. Fee established by rule.** The Director of the Office of Professional and Occupational Regulation 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.

**2. National registry fees.** The board may collect from an applicant for licensure under this chapter and from a licensee and remit to the appropriate agency or instrumentality of the Federal Government any additional fees required to provide appraisal management services in connection with federally related transactions.

#### **§14046. Owner requirements**

**1. License or certification as appraiser.** An appraisal management company licensed or applying for or renewing a license under this chapter may not be owned in whole or in part, directly or indirectly, by a person that has had a license or certificate to act as an

appraiser refused, denied, cancelled, revoked or surrendered in lieu of a pending revocation in any state for substantive cause. An appraisal management company is not ineligible for a license under this subsection if the person's license or certificate to act as an appraiser was not revoked for substantive cause and the person has subsequently had the license or certificate granted or reinstated.

**2. Background.** A person that owns more than 10% of an appraisal management company shall:

A. Be of good moral character, as determined by the board; and

B. Submit to a background investigation, as required by the board.

#### **§14047. Controlling persons**

**1. Designation of controlling person.** An appraisal management company applying to the board for a license or for renewal of a license shall designate one controlling person that will be the main contact for all communication between the board and the appraisal management company.

**2. Requirements.** A controlling person must:

A. Be actively licensed or certified in at least one state as an appraiser at all times that the person is designated as a controlling person;

B. Have never had a license or certificate to act as an appraiser refused, denied, cancelled, revoked or surrendered in lieu of a pending revocation for substantive cause in any state;

C. Be of good moral character, as determined by the board; and

D. Submit to a background investigation, as required by the board.

#### **§14048. Employee requirements**

An appraisal management company that is licensed or applies for a license or renewal of a license may not:

**1. Ordering and reviewing of appraisal services.** Knowingly employ any person in a position in which the person has the responsibility to order appraisal services or to review the results of a completed appraisal service who has had a license or certificate to act as an appraiser in this State or any other state refused, denied, cancelled, revoked or surrendered in lieu of a pending revocation unless the license or certificate was subsequently granted or reinstated; and

**2. Independent contractor.** Knowingly enter into any independent contractor arrangement for the performance of appraisal services with a person who has had a license or certificate to act as an appraiser in this State or any other state refused, denied, cancelled, revoked or surrendered in lieu of a pending revocation

unless the license or certificate was subsequently granted or reinstated.

#### **§14049. Denial of license**

In addition to the grounds enumerated in Title 10, section 8003, subsection 5-A, paragraph A, the board may deny a license, refuse to renew a license or impose the disciplinary sanctions authorized by Title 10, section 8003, subsection 5-A for:

**1. Lack of trustworthiness.** Lack of trustworthiness and competence to conduct appraisal management services in a manner that safeguards the interests of the public;

**2. Misconduct.** The commission of an act or omission in the practice of appraisal management services that constitutes dishonesty, fraud or misrepresentation with the intent to benefit the licensee or another person or with the intent to injure another person;

**3. Court judgment.** The entry of a final civil or criminal judgment against the licensee on grounds of fraud, misrepresentation or deceit in the provision of appraisal management services;

**4. Unauthorized payment.** Payment of a finder's fee or a referral fee to a person who does not have an appraiser license under chapter 124 in connection with appraisal management services;

**5. Misrepresentation of professional qualifications.** Permitting an employee of the licensee or a member of the licensee's appraisal panel to make a false or misleading statement in that portion of a written appraisal report that deals with professional qualifications or in any testimony concerning professional qualifications;

**6. Predetermined appraisal result.** Accepting a fee for performing an appraisal service when, in fact, the fee is or was contingent upon the appraiser's reporting a predetermined analysis, opinion or conclusion or is or was contingent upon the analysis, opinion, conclusion or valuation reached or upon the consequences resulting from the appraisal assignment;

**7. Lack of diligence.** Failure or refusal, without good cause, to exercise reasonable diligence in providing appraisal management services;

**8. Negligence or incompetence.** Negligence or incompetence in performing appraisal management services;

**9. Breach of confidentiality.** A violation of the confidential nature of individual, business or governmental records to which a licensee or applicant gained access through employment or engagement as an appraisal management company;

**10. Suspension or revocation of license.** Having had a professional or occupational license suspended or revoked for disciplinary reasons or an appli-

ation rejected for reasons related to untrustworthiness within 3 years prior to the date of application; and

**11. Failure to meet professional qualifications; failure to submit complete application.** Failure to meet the professional qualifications for licensure as provided in this chapter or failure to submit a complete application within 30 days after being notified of the materials needed to complete the application.

#### **§14049-A. Appraiser panel**

For the purpose of determining whether within a 12-month period an appraisal management company oversees an appraiser panel of more than 15 state-certified or state-licensed appraisers in a state or 25 or more certified or licensed appraisers in 2 or more states and therefor qualifies as an appraisal management company pursuant to this chapter, the following provisions apply.

**1. Begin date.** An appraiser is considered part of the appraisal management company's appraiser panel as of the earliest date on which the appraisal management company:

**A.** Accepts the appraiser for consideration for future appraisal assignments in covered transactions or for secondary mortgage market participants in connection with covered transactions; or

**B.** Engages the appraiser to perform one or more appraisals on behalf of a creditor for a covered transaction or secondary mortgage market participant in connection with covered transactions.

**2. End date.** An appraiser who is considered part of the appraisal management company's appraiser panel pursuant to subsection 1 is considered to remain on the panel until the date on which the appraisal management company:

**A.** Sends written notice to the appraiser removing the appraiser from the appraiser panel;

**B.** Receives written notice from the appraiser asking to be removed from the appraiser panel; or

**C.** Receives written notice of the death or incapacity of the appraiser.

**3. Subsequent engagement after removal.** If an appraiser is removed from an appraisal management company's appraiser panel pursuant to subsection 2, paragraph A or B, and the appraisal management company subsequently accepts the appraiser for consideration for future assignments or engages the appraiser at any time during the 12 months after the removal of the appraiser, the removal must be considered not to have occurred and the appraiser must be considered to have been part of the appraisal management company's appraiser panel without interruption.

**4. Twelve-month period.** The period for purposes of counting appraisers on an appraisal manage-

ment company's appraiser panel may be the calendar year or a 12-month period established by rule by the board.

#### **§14049-B. Appraiser engagement**

Prior to placing an appraisal assignment with an appraiser on an appraiser panel, an appraisal management company shall verify that the appraiser receiving the appraisal assignment is licensed under chapter 124.

#### **§14049-C. Appraisal review**

An employee of or independent contractor to an appraisal management company who performs an appraisal review for real property located in this State must be licensed under chapter 124.

#### **§14049-D. Appraisal management company operational and record-keeping requirements**

**1. Operational requirements.** An appraisal management company shall:

**A.** Engage only certified or licensed appraisers for federally related transactions in conformity with federally related transaction regulations;

**B.** Establish and comply with processes and controls reasonably designed to ensure that the appraisal management company in engaging an appraiser selects an appraiser who is independent of the transaction and who has the requisite education, expertise and experience necessary to competently complete the appraisal assignment for the particular market and property type;

**C.** Direct an appraiser to perform an assignment in accordance with the Uniform Standards of Professional Appraisal Practice; and

**D.** Establish and comply with processes and controls reasonably designed to ensure that the appraisal management company conducts appraisal management services in accordance with the requirements of the Truth in Lending Act, 15 United States Code Section 1639e(a)-(i) and regulations adopted under that section.

**2. Record keeping.** An appraisal management company licensed or applying to be license or to renew a licensed in this State shall:

**A.** Certify to the board on a form prescribed by the board that the appraisal management company maintains a detailed record of each service request that the appraisal management company receives for appraisals of real property located in this State; and

**B.** Retain for at least 5 years, or at least 2 years after final disposition of any related judicial proceeding, all business records relating to each request for an appraisal service that the appraisal management company has received and the ap-

praiser who performs the appraisal service for the appraisal management company.

An appraisal management company licensed under this chapter shall make all records required to be maintained by the appraisal management company available for inspection by the board upon reasonable notice to the appraisal management company.

#### **§14049-E. Compensation of appraisers**

An appraisal management company shall compensate appraisers in accordance with the appraisal independence standards established under the federal Truth in Lending Act, 15 United States Code, Section 1639e (2016) and its implementing regulations, 12 Code of Federal Regulations, Section 1026.42 (2016). Except in cases of breach of contract or substandard performance of an appraisal service, an appraisal management company shall make payment to an appraiser for the completion of an appraisal service within 45 days of the date on which the appraiser transmits or otherwise provides the results of the completed appraisal service to the appraisal management company.

#### **§14049-F. Statement of fees**

When reporting fees to a client, an appraisal management company shall separately indicate the fees paid to an appraiser for the completion of an appraisal service and the fees charged by the appraisal management company to the client for appraisal management services.

#### **§14049-G. Prohibited practices**

**1. Prohibitions.** An appraisal management company licensed under this chapter or an employee, director, officer or agent of an appraisal management company licensed under this chapter may not:

A. Cause or attempt to cause the results of an appraisal service to be based on any factor other than the independent judgment of the appraiser;

B. Seek to influence an appraiser or to otherwise encourage a targeted value in order to facilitate the making or pricing of a consumer credit transaction;

C. Modify or otherwise change the results of a completed appraisal service that have been submitted by an appraiser to the appraisal management company by:

(1) Altering or removing the signature or seal of the appraiser; or

(2) Adding information to, removing information from or changing information contained in the results of the completed appraisal service, including any disclosure authorized by this chapter submitted by an appraiser in or with the appraisal report;

D. Condition a request for the performance of an appraisal service or the payment of an appraisal fee, salary or bonus on the opinion, conclusion or valuation to be reached or on a preliminary estimate or opinion requested from an appraiser;

E. Request that an appraiser provide an estimated, predetermined or desired valuation in an appraisal report or provide estimated values or comparable sales at any time before the completion of an appraisal by an appraiser;

F. Provide to an appraiser an anticipated, estimated, encouraged or desired value for a subject property or a proposed or target amount to be loaned to a borrower, except that a copy of the sales contract for a purchase transaction may be provided;

G. Make any part of a fee paid to the appraiser or a fee paid by the appraisal management company contingent on a favorable outcome, including a loan closing or a specific valuation being achieved by the appraiser in the appraisal report;

H. Withhold or threaten to withhold timely payment for the completion of an appraisal assignment when the appraisal services that are the subject of the appraisal assignment are provided in accordance with a contract or other agreement between the parties;

I. Seek to influence an appraiser by withholding or threatening to withhold future business from an appraiser;

J. Seek to influence an appraiser by demoting or terminating or threatening to demote or terminate an appraiser;

K. Seek to influence an appraiser by expressly or impliedly promising future business, promotions or increased compensation for an appraiser;

L. Provide to an appraiser, or any person related to an appraiser, stock or other financial or nonfinancial benefits;

M. Allow the removal of an appraiser from an appraiser panel without prior written notice to the appraiser;

N. Obtain, use or pay for a second or subsequent appraisal or order an automated valuation model in connection with a mortgage financing transaction unless:

(1) There is a reasonable basis to believe that the initial appraisal was flawed or tainted and that basis is clearly and appropriately noted in the loan file;

(2) The subsequent appraisal or automated valuation model is done under a bona fide

prefunding or postfunding appraisal review or quality control process; or

(3) The subsequent appraisal or automated valuation model is otherwise required or permitted by federal or state law;

O. Prohibit legal communication between an appraiser and a lender, real estate license holder or any other person from whom the appraiser believes information would be relevant;

P. Refuse to accept the results of a completed appraisal service by more than one appraiser if an appraiser provides substantial assistance to another appraiser in the preparation of the report, unless the appraisal assignment names an individual appraiser or the statement of work requires an unassisted report; or

Q. Require an appraiser to:

(1) Complete an appraisal service if the appraiser determines the appraiser does not have the necessary expertise for the specific geographic area, the appraiser has notified the company of that determination and the appraiser has declined the assignment;

(2) Prepare an appraisal report under a schedule that the appraiser believes does not afford the appraiser the ability to meet all the relevant legal and professional obligations if the appraiser has notified the company of that belief and has declined the assignment;

(3) Provide the appraisal management company with the digital signature or seal of the appraiser;

(4) Modify any aspect of an appraisal report without the agreement of the appraiser that the modification is appropriate;

(5) Engage in any act or practice that does not comply with the Uniform Standards of Professional Appraisal Practice;

(6) Engage in any act or practice that does not comply with any assignment conditions and certifications required by a client;

(7) Engage in any act or practice that impairs or attempts to impair the independence, objectivity or impartiality of an appraiser;

(8) Enter into an agreement to not serve on the appraiser panel of another appraisal management company;

(9) Indemnify or hold harmless the appraisal management company against liability except liability for errors and omissions by the appraiser; or

(10) Pay a fee imposed on the appraisal management company by the federal appraisal subcommittee.

**2. Construction.** Nothing in subsection 1 may be construed to prohibit:

A. An appraiser from reimbursing an appraisal management company for the actual cost of discretionary services provided to the appraiser;

B. An appraiser from voluntarily providing the appraiser's digital signature or seal to an appraisal management company;

C. An appraisal management company from asking an appraiser, after an appraisal report is delivered, to:

(1) Consider additional appropriate property information, including the consideration of additional comparable properties to make or support an appraisal;

(2) Provide further detail, substantiation or explanation of the appraiser's conclusion regarding values; or

(3) Correct errors in the appraisal report;

D. An appraisal management company from requiring an appraiser to provide advance notice of and an opportunity for the appraisal management company to participate in any legal communications between the appraiser and a lender; or

E. An appraisal management company from providing to an appraiser a copy of an executed contract for a purchase transaction.

#### **§14049-H. Mandatory reporting**

An appraisal management company that has a reasonable basis to believe an appraiser is failing to comply with the Uniform Standards of Professional Appraisal Practice in a manner that materially affects the conclusion of value contained in an appraisal report, is violating applicable laws or is otherwise engaging in unethical or unprofessional conduct shall refer the matter to the board.

#### **§14049-I. Appraiser panel management**

Except within the first 30 days after an appraiser is added to an appraiser panel, an appraisal management company may not remove an appraiser from its appraiser panel or otherwise refuse to assign requests for real estate appraisal services to an appraiser without notifying the appraiser in writing and identifying the reasons why the appraiser is being removed from the appraiser panel and providing an opportunity for the appraiser to respond to the notification.

#### **§14049-J. Board powers**

The board may:

**1. Rule making.** Adopt rules necessary to implement, administer and enforce the provisions of this chapter. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A;

**2. Applications.** Review and approve or deny an appraisal management company's application for initial licensure pursuant to Title 10, section 8003;

**3. Renewals.** Review and renew or refuse to renew an appraisal management company's license pursuant to Title 10, section 8003;

**4. Books and records.** Examine the books and records of an appraisal management company operating in the State and require the appraisal management company to submit reports, information and documents to the board;

**5. Valid certifications.** Verify that an appraiser on an appraiser panel holds a valid state certification or license, as applicable;

**6. Investigations.** Conduct investigations pursuant to Title 10, chapter 901 of appraisal management companies to assess potential violations of this chapter, rules adopted pursuant to this chapter or orders issued pursuant to this chapter;

**7. Discipline.** Discipline an appraisal management company or suspend, terminate or refuse to renew the license of an appraisal management company that violates this chapter, a rule adopted pursuant to this chapter or an order issued pursuant to this chapter pursuant to Title 10, section 8003, except that the board may impose a civil penalty of up to \$5,000 for each violation of applicable laws, rules or conditions of licensure or for each instance of actionable conduct or activity; and

**8. Report to federal appraisal subcommittee.** Report to the federal appraisal subcommittee an appraisal management company's violation of this chapter, a rule adopted pursuant to this chapter or an order issued pursuant to this chapter, as well as disciplinary and enforcement actions and other relevant information about an appraisal management company's operations.

#### **§14049-K. Repeal; board report**

**1. Repeal.** This chapter is repealed on March 15, 2018.

**2. Report.** The board shall submit a report to the joint standing committee of the Legislature having jurisdiction over business matters by January 1, 2018 indicating whether Section 1124 of the federal Dodd-Frank Wall Street Reform and Consumer Protection Act (2010) has been repealed or substantially amended

by federal legislation. The committee may report out a bill to the Legislature related to the report.

See title page for effective date.

## **CHAPTER 271**

### **H.P. 1129 - L.D. 1636**

#### **An Act To Allow Municipalities To Establish Ordinances Banning or Restricting Marijuana Caregivers within 500 Feet of a School**

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

**Whereas**, while the Maine Medical Use of Marijuana Act prohibits the location of medical marijuana dispensaries within 500 feet of a school, there are no such prohibitions placed on primary caregivers who cultivate medical marijuana for qualifying patients; and

**Whereas**, without restrictions, the current law could be construed to permit a number of caregivers to be located in the same facility, each cultivating up to 6 marijuana plants; and

**Whereas**, the location of such a facility close to a school may pose a risk to minors passing that facility on their way to and from school, which is a risk that needs to be addressed 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. 22 MRSA §2423-A, sub-§13**, is enacted to read:

**13. Moratorium ordinance.** Notwithstanding any other provision of this chapter or any other provision of law to the contrary, a municipality may adopt and enforce an ordinance that establishes a moratorium on the location within 500 feet of the property line of a preexisting public or private school of new facilities or expansion of existing facilities where registered primary caregivers cultivate marijuana plants. This subsection does not affect any permit that has been granted to a registered primary caregiver prior to the effective date of this subsection.

This subsection is repealed July 1, 2018. Any ordinances adopted pursuant to this subsection are not authorized and are void after July 1, 2018.

**Sec. 2. Authority to report out legislation.**

The Joint Standing Committee on Health and Human Services is authorized to report out legislation relating to municipal ordinances regarding the location of facilities where registered primary caregivers cultivate marijuana plants within 500 feet of a school to the Second Regular Session of the 128th Legislature.

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

Effective June 23, 2017.

**CHAPTER 272**

**S.P. 235 - L.D. 673**

**An Act To Restore the Tip  
Credit to Maine's Minimum  
Wage Law**

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

**Sec. 1. 26 MRSA §664, sub-§2,** as amended by IB 2015, c. 2, §2, is further amended to read:

**2. Tip credit.** An employer may consider tips as part of the wages of a service employee, but such a tip credit may not exceed 50% of the minimum hourly wage established in this section. ~~Starting except that from January 1, 2017 to December 31, 2017,~~ the minimum cash wage paid directly to a tipped service employee may not be less than \$5.00 per hour, ~~and the tip credit may not exceed the difference between the minimum cash wage paid directly to a tipped service employee and the minimum hourly wage established under subsection 1. Starting January 1, 2018, and on each January 1st thereafter, the minimum cash wage paid directly to a tipped service employee must be increased by an additional \$1.00 per hour until it reaches the same amount as the annually adjusted minimum hourly wage established under subsection 1, except that if the minimum cash wage paid directly to a tipped service employee is less than \$1.00 less than the annually adjusted minimum hourly wage, it must be increased by that lesser amount.~~ An employer who elects to use the tip credit, ~~until it is eliminated under this subsection,~~ must inform the affected employee in advance, ~~as provided for in this subsection,~~ and must be able to show that the employee receives at least the minimum hourly wage when direct wages and the tip credit are combined within the established 7-day workweek. Upon a satisfactory showing by the employee or the employee's representative that the actual

tips received were less than the tip credit, the employer shall increase the direct wages by the difference.

The tips received by a service employee become the property of the employee and may not be shared with the employer. Tips that are automatically included in the customer's bill or that are charged to a credit card must be treated like tips given to the service employee. A tip that is charged to a credit card must be paid by the employer to the employee by the next regular pay-day and may not be held while the employer is awaiting reimbursement from a credit card company. The employer may not deduct any amount from employee tips charged to a credit card, including, but not limited to, service fees assessed to the employer in connection with the credit card transaction.

An employer who elects to use the tip credit must inform the affected employee in advance, either orally or in writing, of the following information:

A. The amount of the direct wage to be paid by the employer to the tipped employee;

B. The amount of tips to be credited as wages toward the minimum wage;

C. That the amount of tips to be credited as wages may not exceed the value of the tips actually received by the employee;

D. That all tips received by the affected employee must be retained by the employee, except for a valid tip pooling arrangement limited to employees who customarily and regularly receive tips in accordance with subsection 2-A;

E. That the tip credit may not apply to any employee who has not been informed by the employer of the provisions for a tip credit; and

F. If the employer uses a tip pooling arrangement, any required tip pool contribution amount from the employee.

See title page for effective date.

**CHAPTER 273**

**S.P. 401 - L.D. 1180**

**An Act To Provide a Definition  
of "Primary Residence" for  
Purposes of Property Tax  
Abatements Based on  
Hardship or Poverty**

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

**Sec. 1. 36 MRSA §841, sub-§2,** as repealed and replaced by PL 2013, c. 424, Pt. A, §24, is amended to read:

**2. Hardship or poverty.** The municipal officers, or the State Tax Assessor for the unorganized territory, within 3 years from commitment, may, on their own knowledge or on written application, make such abatements as they believe reasonable on the real and personal taxes on the primary residence of any person who, by reason of hardship or poverty, is in their judgment unable to contribute to the public charges. The municipal officers, or the State Tax Assessor for the unorganized territory, may extend the 3-year period within which they may make abatements under this subsection.

As used in this subsection, "primary residence" means the home, appurtenant structures necessary to support the home and acreage sufficient to satisfy the minimum lot size as required by the municipality's land use or building permit ordinance or regulations or, in the absence of any municipal minimum lot size requirement, as required by Title 12, section 4807-A.

Municipal officers or the State Tax Assessor for the unorganized territory shall:

- A. Provide that any person indicating an inability to pay all or part of taxes that have been assessed because of hardship or poverty be informed of the right to make application under this subsection;
- B. Assist individuals in making application for abatement;
- C. Make available application forms for requesting an abatement based on hardship or poverty and provide that those forms contain notice that a written decision will be made within 30 days of the date of application;
- D. Provide that persons are given the opportunity to apply for an abatement during normal business hours;
- E. Provide that all applications, information submitted in support of the application, files and communications relating to an application for abatement and the determination on the application for abatement are confidential. Hearings and proceedings held pursuant to this subsection must be in executive session;
- F. Provide to any person applying for abatement under this subsection, notice in writing of their decision within 30 days of application; and
- G. Provide that any decision made under this subsection include the specific reason or reasons for the decision and inform the applicant of the right to appeal and the procedure for requesting an appeal.

~~For the purpose of this subsection, the municipal officers may set off or otherwise treat as available benefits provided to an applicant under chapter 907 when de-~~

~~termining if the applicant is able to contribute to the public charges.~~

See title page for effective date.

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## CHAPTER 274

### S.P. 541 - L.D. 1546

#### An Act To Clarify the Language Defining Schedule W Drugs and To Add Drugs to the List of Schedule W Drugs

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

**Sec. 1. 17-A MRSA §1101, sub-§24**, as enacted by PL 2015, c. 346, §3, is amended to read:

**24.** "Fentanyl powder" means any compound, mixture or preparation, in granular or powder form, containing fentanyl or any derivative of fentanyl listed in section 1102, subsection 1, paragraph I in any quantity.

**Sec. 2. 17-A MRSA §1102, sub-§1, ¶I**, as amended by PL 2015, c. 492, §1, is further amended to read:

I. Unless listed or described in another schedule, any compound, mixture or preparation containing narcotic drugs in any quantity, including, but not limited to, the following narcotic drugs or their salts, isomers or salts of isomers: heroin (diacetylmorphine); methadone; methadone hydrochloride; levo-alpha-acetyl-methadol, or LAAM; pethidine; opium; morphine; oxycodone; hydrocodone; hydromorphone; buprenorphine; U-47700; W-18; W-15; AH-7921; carfentanil; sufentanil; fentanyl powder; and any derivative of fentanyl powder by any substitution on or replacement of the phenethyl group, any substitution on the piperidine ring, any substitution on or replacement of the propanamide group, any substitution on the phenyl group or any combination thereof, including, but not limited to, despropionyl fentanyl, furanylfentanyl, fluorofentanyl, 4-fluoroisobutyryl fentanyl, acetylfentanyl and any methylfentanyl derivatives and opium;

See title page for effective date.

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**CHAPTER 275**  
**S.P. 26 - L.D. 46**

**An Act To Provide Consistency  
with Regard to Jury Duty  
Exemption**

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

**Sec. 1. 14 MRSA §1211**, as amended by PL 2005, c. 60, §1, is further amended to read:

**§1211. Disqualifications and exemptions from jury service**

A prospective juror is disqualified to serve on a jury if that prospective juror is not a citizen of the United States, 18 years of age and a resident of the county, or is unable to read, speak and understand the English language. The following persons are exempt from serving as jurors: The Governor, ~~judges, physicians and dentists providing active patient care, veterinarians with or in an active veterinary medicine practice, sheriffs, attorneys at law active duty military~~ and all persons exempt under Title 37-B, section 185.

See title page for effective date.

**CHAPTER 276**  
**H.P. 981 - L.D. 1427**

**An Act To Make Community  
Paramedicine Services  
Permanent**

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

**Sec. 1. 32 MRSA §84, sub-§4**, as amended by PL 2015, c. 92, §1, is repealed and the following enacted in its place:

**4. Establishment of community paramedicine services.** The board may establish community paramedicine services. As used in this subsection, "community paramedicine" means the practice by an emergency medical services provider primarily in an out-of-hospital setting of providing episodic patient evaluation, advice and treatment directed at preventing or improving a particular medical condition, within the scope of practice of the emergency medical services provider as specifically requested or directed by a physician.

The board shall establish by rule the requirements and application and approval process of community paramedicine services established pursuant to this subsection. At a minimum, an emergency medical services provider, including, but not limited to, an ambulance service or nontransporting emergency medical service,

that conducts community paramedicine services shall work with an identified primary care medical director, have an emergency medical services medical director and collect and submit data and written reports to the board, in accordance with requirements established by the board. 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 277**  
**H.P. 917 - L.D. 1323**

**An Act To Amend the Direct  
Initiative Signature Gathering  
Process**

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

**Sec. 1. 4 MRSA §955-C, sub-§1, ¶C**, as amended by PL 2005, c. 629, §2, is further amended to read:

C. The notary public is in violation of section 954-A or section 960; ~~or~~

**Sec. 2. 4 MRSA §955-C, sub-§1, ¶D**, as enacted by PL 1997, c. 712, §2, is amended to read:

D. The notary public has been convicted of a crime as defined by rules adopted by the Secretary of State. These rules must provide that a conviction for perjury, false swearing, bribery, corrupt practices or forgery or related offenses may be a basis for the Secretary of State to suspend, revoke or refuse to renew the commission of a notary public. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter ~~H-A~~, 2-A; or

**Sec. 3. 4 MRSA §955-C, sub-§1, ¶E** is enacted to read:

E. The notary public has allowed another person to use that notary public's commission.

**Sec. 4. 21-A MRSA §902**, as amended by PL 2011, c. 342, §31, is further amended to read:

**§902. Verification and certification**

The verification and certification of the petition as required by the Constitution of Maine, Article IV, Part Third, Section 20; must be worded so that a single verification or certification may cover one or more pages fastened together as a single petition.

The petitions must be signed, ~~verified and certified~~ in the same manner as are nonparty nomination petitions under section 354, subsections 3 and 4 ~~and subsection 7, paragraphs A and C~~. The circulator of a

petition must sign the petition and verify the petition by oath or affirmation as described in section 354, subsection 7, paragraph A prior to submitting the petition to the registrar 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 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 and that each signature authorized under section 153-A was made by the authorized signer in the presence and at the direction of the voter. After administering the oath to the circulator, the notary public or other authorized person must sign the notarial certificate on the petition while in the presence of the circulator. After the petition is signed and verified in this manner, the petition must be submitted to the registrar for certification in accordance with the Constitution of Maine, Article IV, Part Third, Section 20. If the petitions submitted to the registrar are not signed and verified in accordance with this paragraph, the registrar may not certify the petitions and is required only to return the petitions. The clerk or registrar shall keep a log of petitions submitted to the municipal office for verification. The log must contain the title of the petition, the name of the person submitting the petition, the date of submission, the number of petition forms submitted and the date and manner by which the petitions were returned. The notary public or other authorized person who administered the oath to the circulator must keep a log of petitions for which that person administered the circulator's oath, listing the title of the petition, the name of the circulator taking the oath, the date of the oath and the number of petition forms signed and verified by the circulator that day.

**Sec. 5. 21-A MRSA §903-D** is enacted to read:

**§903-D. Notaries public**

**1. Notaries public.** A notary public or other person authorized by law to administer oaths or affirmations is prohibited from notarizing or certifying a petition under section 902:

A. If employed or compensated by a petition organization for any purpose other than notarial acts;

B. If providing services or offering assistance to a ballot question committee established to influence the ballot measure for which the petitions are being circulated or employed by or receiving compensation from such a ballot question committee for any purpose other than notarial acts; or

C. If a treasurer, principal officer, primary fundraiser or primary decision maker to a ballot question committee established to influence the ballot measure for which petitions are being circulated.

**Sec. 6. 21-A MRSA §905, sub-§1**, as amended by PL 2009, c. 611, §5, is further amended to read:

**1. Secretary of State.** The Secretary of State shall review all petitions filed in the Department of the Secretary of State for a people's veto referendum under the Constitution of Maine, Article IV, Part Third, Section 17, or for a direct initiative under the Constitution of Maine, Article IV, Part Third, Section 18.

The Secretary of State shall determine the validity of the petition and issue a written decision stating the reasons for the decision within 30 days from the date of filing of a written petition in the Department of the Secretary of State under the Constitution of Maine, Article IV, Part Third, Section 17 or 18.

The Secretary of State may invalidate a petition if the Secretary of State is unable to verify the notarization of that petition.

**Sec. 7. Secretary of State to accept reports of suspected fraudulent signature gathering practices.** The Secretary of State shall establish a method to facilitate the acceptance of reports from members of the public regarding suspected fraudulent or illegal signature gathering practices for direct initiative and people's veto petitions.

See title page for effective date.

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**CHAPTER 278**

**H.P. 176 - L.D. 243**

**An Act To Amend the  
Marijuana Legalization Act to  
Provide Licensing, Rulemaking  
and Regulatory and  
Enforcement Authority within  
the Department of  
Administrative and Financial  
Services; Assign Rulemaking,  
Regulatory and Enforcement  
Authority Related to  
Agricultural Purposes to the  
Department of Agriculture,  
Conservation and Forestry;  
and Allocate Funds for  
Implementation**

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

**Whereas**, implementing a system for the regulation and administration of the cultivation, distribution and retail sale of recreational marijuana, a controlled

substance, is a complex function with significant financial costs; and

**Whereas**, ensuring that possession and use of recreational marijuana is limited to persons who are 21 years of age and older is necessary to protect those who have not yet reached adulthood from the potential negative effects of irresponsible use of a controlled substance; 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 §1-C** is enacted to read:

**§1-C. Rules and regulatory and enforcement authority regarding the Marijuana Legalization Act**

**1. Rules and regulatory and enforcement authority.** The department shall adopt rules and exercise regulatory and enforcement authority regarding retail marijuana cultivation facilities, retail marijuana manufacturing facilities and retail marijuana testing facilities licensed by the Department of Administrative and Financial Services pursuant to section 2444. This authority pertains to marijuana cultivation, including, but not limited to, all aspects of marijuana seeds, clones, seedlings and plants, use of pesticides, harvesting and storage, and the preparation, manufacturing, testing, packaging and labeling of retail marijuana under the Marijuana Legalization Act.

**2. Effective administration and enforcement.** For the purposes of the effective administration and enforcement of chapter 417, the department and the Department of Administrative and Financial Services shall work cooperatively to ensure that rules are adopted and the Marijuana Legalization Act is implemented and enforced in a manner that is consistent with the requirements of chapter 417.

**Sec. 2. 7 MRSA §2442, sub-§7**, as enacted by IB 2015, c. 5, §1, is amended to read:

**7. Commissioner.** "Commissioner" means the Commissioner of ~~Agriculture, Conservation and Forestry~~ Administrative and Financial Services.

**Sec. 3. 7 MRSA §2442, sub-§9**, as enacted by IB 2015, c. 5, §1, is amended to read:

**9. Department.** "Department" means the Department of ~~Agriculture, Conservation and Forestry~~ Administrative and Financial Services.

**Sec. 4. 7 MRSA §2444**, as amended by PL 2017, c. 1, §6, is further amended to read:

**§2444. State licensing authority**

For the purpose of regulating and controlling the licensing of the cultivation, manufacture, distribution, testing, ~~tracking from seed or clone to sale~~ and sale of retail marijuana and retail marijuana products and the licensing of retail marijuana social clubs in this State, the state licensing authority is the ~~Department of Agriculture, Conservation and Forestry~~ department.

**1. Commissioner is chief administrative officer.** The ~~Commissioner of Agriculture, Conservation and Forestry~~ commissioner is the chief administrative officer of the state licensing authority and may employ such officers and employees as may be determined to be necessary. The state licensing authority has the authority to:

A. Grant or refuse licenses for the cultivation, manufacture, distribution, sale and testing of retail marijuana and retail marijuana products and licenses for the operation of retail marijuana social clubs as provided by this chapter;

B. Suspend, fine, restrict or revoke licenses under paragraph A upon a violation of this chapter or any rule adopted pursuant to this chapter; and

C. Impose any penalty authorized by this chapter or any rule adopted pursuant to this chapter.

**2. Adoption of rules by commissioner.** The state licensing authority shall adopt rules for the proper regulation and control of the ~~cultivation, manufacture, distribution, tracking and sale and testing by retail marijuana stores~~ of retail marijuana and retail marijuana products; for the licensing and operation of retail marijuana social clubs; and for the enforcement of this chapter; ~~not later than 9 months after the effective date of this Act, and shall adopt amended amend rules and such special rules and make findings as necessary.~~ For the purpose of adopting and amending rules pursuant to this subsection, the commissioner may delegate rule-making authority granted under this section to the Commissioner of ~~Administrative and Financial Services~~ Agriculture, Conservation and Forestry, the Commissioner of Labor or the Commissioner of Public Safety; ~~or both~~; if the commissioner determines that the expertise and resources of those other departments would be beneficial in the development of the rules and the enforcement of those rules. These rules are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A. Rules must address but are not limited to the following issues:

A. The ~~hearing of contested state license denials~~ appeal of the denial of a license issued pursuant to this chapter at a public hearing, employing full due process, including the subpoena power, the taking of oaths, the calling of witnesses and the maintaining of the confidentiality of customer records. Provision must be made for the conduct of appeal hearings following license actions, in-

cluding, but not limited to, the denial of a license renewal or of an initial license and license revocation and suspension, and hearings contesting the imposition of a fine;

B. The development of such forms, licenses, identification cards and applications as necessary for the administration of this chapter or of any of the rules adopted under this chapter;

C. The preparation and transmission annually, in the form and manner prescribed by this chapter, of a report to the Legislature accounting for the efficient discharge of all responsibilities assigned by law or rules to the state licensing authority;

D. Procedures consistent with this chapter for the issuance, renewal, suspension and revocation of licenses to operate retail marijuana establishments and retail marijuana social clubs;

~~E. Limits on the concentration of THC and other cannabinoids per serving in any retail marijuana product;~~

F. Qualifications for licensure including, but not limited to, the requirement for a fingerprint-based criminal history record check for all owners, officers, managers, employees and other support staff of entities licensed pursuant to this chapter; and

G. Security requirements for any ~~licensed~~ premises licensed as retail marijuana stores, retail marijuana testing facilities and retail marijuana social clubs under this chapter including, at a minimum, lighting, physical security, alarm requirements and other minimum procedures for internal control as determined necessary by the state licensing authority to properly administer and enforce the provisions of this chapter, including reporting requirements for changes, alterations or modifications to the licensed premises. Security requirements may not be unreasonably impracticable; and

~~H. Securing and recording permission for a local fire department or the State Fire Marshal to conduct an annual fire inspection of a retail marijuana cultivation facility.~~

**3. Adoption of rules by Commissioner of Agriculture, Conservation and Forestry.** The Commissioner of Agriculture, Conservation and Forestry shall adopt rules for the proper regulation and control of the cultivation, manufacture and testing of retail marijuana and retail marijuana products and shall amend rules as necessary. For the purpose of adopting and amending rules pursuant to this subsection, the Commissioner of Agriculture, Conservation and Forestry may delegate rule-making authority granted under this section to the Commissioner of Administrative and Financial Services, the Commissioner of Labor or the Commissioner of Public Safety if the Commissioner of Agri-

culture, Conservation and Forestry determines that the expertise and resources of those other departments would be beneficial in the development of the rules and the enforcement of those rules. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. Rules must address but are not limited to the following issues:

A. The appeal of the denial of a license issued pursuant to this chapter at a public hearing, employing full due process, including the subpoena power, the taking of oaths, the calling of witnesses and the maintaining of the confidentiality of customer records. Provision must be made for the conduct of appeal hearings following license actions, including, but not limited to, the denial of a license renewal or of an initial license and license revocation and suspension, and hearings contesting the imposition of a fine;

B. The development of any forms, licenses, identification cards and applications that are necessary for the administration of this chapter or of any of the rules adopted under this chapter;

C. The preparation and transmission annually, in the form and manner prescribed by this chapter, of a report to the Legislature accounting for the efficient discharge of all responsibilities assigned by law or rules to the Department of Agriculture, Conservation and Forestry;

D. Procedures consistent with this chapter for the issuance, renewal, suspension and revocation of licenses to operate retail marijuana cultivation facilities, retail marijuana production facilities and retail marijuana testing facilities;

E. Limits on the concentration of THC and other cannabinoids per serving in any retail marijuana product;

F. Security requirements for any premises licensed as a retail marijuana cultivation facility, retail marijuana products manufacturing facility or retail marijuana testing facility under this chapter including, at a minimum, lighting, physical security, alarm requirements and other minimum procedures for internal control as determined necessary by the state licensing authority to properly administer and enforce the provisions of this chapter, including reporting requirements for changes, alterations or modifications to the licensed premises. Security requirements may not be unreasonably impracticable; and

G. Securing and recording permission for a local fire department or the State Fire Marshal to conduct an annual fire inspection of a retail marijuana cultivation facility.

**Sec. 5. 7 MRSA §2445, first ¶**, as amended by PL 2017, c. 1, §7, is further amended to read:

Beginning February 1, 2018, the state licensing authority shall establish, within a specific time frame, a retail marijuana and retail marijuana products independent testing and certification program. This program must require licensees to test retail marijuana and retail marijuana products to ensure at a minimum that products sold for human consumption do not contain contaminants that are injurious to health and to ensure correct labeling. The Commissioner of Agriculture, Conservation and Forestry shall adopt rules regarding retail marijuana testing facilities as authorized by sections 1-C and 2444, subsection 2. Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 6. 7 MRSA §2446, sub-§2**, as enacted by IB 2015, c. 5, §1, is amended to read:

**2. Health and safety rules.** The state licensing authority and the Department of Agriculture, Conservation and Forestry, as provided in section 2444, subsections 2 and 3, shall adopt health and safety rules, which are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A, and standards for the manufacture of retail marijuana products, the sale of retail marijuana by a retail marijuana store and the cultivation of retail marijuana, which must include:

- A. Limitations on the display of retail marijuana and retail marijuana products;
- B. Regulation of the storage of, warehouses for and transportation of retail marijuana and retail marijuana products; and
- C. Sanitary requirements for retail marijuana establishments, including but not limited to sanitary requirements for the preparation of retail marijuana products.

**Sec. 7. 7 MRSA §2448, sub-§4**, as enacted by IB 2015, c. 5, §1, is amended to read:

**4. Retail marijuana cultivation facility license.** The state licensing authority shall create a statewide licensure class system for retail marijuana cultivation facilities. The Commissioner of Agriculture, Conservation and Forestry shall adopt rules to implement the statewide licensure class system. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

A. The following provisions govern retail marijuana cultivation facilities.

- (1) A retail marijuana cultivation facility licensee is permitted to cultivate retail marijuana for sale and distribution only to licensed retail marijuana stores, retail marijuana products manufacturing facilities, other

retail marijuana cultivation facilities or retail marijuana social clubs.

(2) A retail marijuana cultivation facility may have a retail marijuana store if it is located on the same licensed premises as the retail marijuana cultivation facility. If the retail marijuana cultivation facility chooses the option to have a retail marijuana store, it must meet all requirements set by the state licensing authority, the Department of Agriculture, Conservation and Forestry and the municipality in which it is located. A retail marijuana store located on the licensed premises of a retail marijuana cultivation facility does not count against any municipal limits on the number of retail marijuana stores.

(3) A retail marijuana cultivation facility shall track the marijuana it cultivates from seed, clone or immature plant to wholesale purchase. The state licensing authority Commissioner of Agriculture, Conservation and Forestry may not make rules that are unreasonably impracticable concerning the tracking of marijuana from seed, clone or immature plant to wholesale purchase.

(4) A retail marijuana cultivation facility may provide, except as required by subsection 6, a sample of its products to a retail marijuana testing facility for testing and research purposes. A retail marijuana cultivation facility shall maintain a record of what was provided to the retail marijuana testing facility, the identity of the retail marijuana testing facility and the testing results.

B. Retail marijuana may be transported between a licensed retail marijuana cultivation facility and retail marijuana stores, other retail marijuana cultivation facilities, retail marijuana products manufacturing facilities, retail marijuana social clubs and retail marijuana testing facilities.

**Sec. 8. 7 MRSA §2448, sub-§6**, as enacted by IB 2015, c. 5, §1, is amended to read:

**6. Retail marijuana testing facility license.** A retail marijuana testing facility license may be issued to a person who performs testing and research on retail marijuana. The facility may develop and test retail marijuana products.

The ~~state licensing authority~~ Department of Agriculture, Conservation and Forestry shall adopt rules pursuant to its authority in section 2445 related to acceptable testing and research practices, including but not limited to testing, standards, quality control analysis, equipment certification and calibration, chemical identification and other practices used in bona fide research methods. Rules adopted pursuant to this sub-

section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

A. A person that has an interest in a retail marijuana testing facility license from the state licensing authority for testing purposes may not have any interest in a registered dispensary, a registered caregiver, a licensed retail marijuana store, a licensed retail marijuana social club, a licensed retail marijuana cultivation facility or a licensed retail marijuana products manufacturing facility. A person that has an interest in a registered dispensary, a registered caregiver, a licensed retail marijuana store, a licensed retail marijuana social club, a licensed retail marijuana cultivation facility or a licensed retail marijuana products manufacturing facility may not have an interest in a facility that has a retail marijuana testing facility license. For purposes of this paragraph, "interest" includes an ownership interest or partial ownership interest or any other type of financial interest, such as being an investor or serving in a management position.

B. Retail marijuana and retail marijuana products may be transported between the licensed retail marijuana testing facility and retail marijuana cultivation facilities, retail marijuana products manufacturing facilities, retail marijuana stores and retail marijuana social clubs.

**Sec. 9. 7 MRSA §2448, sub-§8,** as enacted by IB 2015, c. 5, §1, is amended to read:

**8. Inspection of books and records.** Each licensee shall keep a complete set of all records necessary to show fully the business transactions of the licensee, all of which must be open at all times during business hours for the inspection and examination by the state licensing authority or its duly authorized representatives and the Department of Agriculture, Conservation and Forestry and its duly authorized representatives. The state licensing authority and the Department of Agriculture, Conservation and Forestry may require any licensee to furnish such information as ~~the department~~ considers necessary for the proper administration of this chapter and may require an audit to be made of the books of account and records on such occasions as ~~the department~~ may consider necessary by an auditor to be selected by the state licensing authority. The auditor must have access to all books and records of the licensee, and the cost of the audit must be paid by the licensee.

The licensed premises, including any places of storage, where retail marijuana or retail marijuana products are stored, cultivated, sold, dispensed or tested are subject to inspection by the State or the municipality in which the licensed premises are located and by the investigators of the State or municipality during all business hours and other times of apparent activity for the purpose of inspection or investigation. Access must be granted during business hours for examination

of any inventory or books and records required to be kept by a licensee. When any part of the licensed premises consists of a locked area, upon demand to the licensee this area must be made available for inspection, and, upon request by authorized representatives of the State or municipality, the licensee shall open the area for inspection.

Each licensee shall retain all books and records necessary to show fully the business transactions of the licensee for a period comprising the current tax year and the 2 immediately preceding tax years.

**Sec. 10. 7 MRSA §2455** is enacted to read:

**§2455. Retail Marijuana Regulatory Coordination Fund**

The Retail Marijuana Regulatory Coordination Fund, referred to in this section as "the fund," is established as a dedicated, nonlapsing Other Special Revenue Funds account in the department. The fund is administered and used by the commissioner for the purposes of adopting rules as required by this chapter by the department and by any other department of State Government that is authorized to adopt rules under this chapter. The commissioner may expend funds to enter into contracts with consultants and employ staff, as determined necessary by the commissioner, conduct meetings with stakeholders and conduct other activities related to the operation of this chapter.

**Sec. 11. Transfer from General Fund unappropriated surplus; Retail Marijuana Regulatory Coordination Fund, Other Special Revenue Funds account; fiscal year 2016-17.** Notwithstanding any other provision of law to the contrary, the State Controller shall transfer \$1,400,000 from the General Fund unappropriated surplus to the Retail Marijuana Regulatory Coordination Fund program, Other Special Revenue Funds account within the Department of Administrative and Financial Services no later than 10 days after the effective date of this Act.

**Sec. 12. Progress reports.** The Department of Administrative and Financial Services shall report to the Joint Select Committee on Marijuana Legalization Implementation 60 days after the effective date of this Act and every 60 days thereafter until final adjournment of the Second Regular Session of the 128th Legislature. The report must provide information on the progress of the Department of Administrative and Financial Services, the Department of Agriculture, Conservation and Forestry and all other state departments involved with implementing the Marijuana Legalization Act.

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

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Retail Marijuana Regulatory Coordination Fund N233**

Initiative: Allocates funds to establish the Retail Marijuana Regulatory Coordination Fund.

OTHER SPECIAL REVENUE FUNDS	2016-17	2017-18	2018-19
All Other	\$500	\$1,400,000	\$0
<b>TOTAL</b>	<b>\$500</b>	<b>\$1,400,000</b>	<b>\$0</b>

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

DEPARTMENT TOTALS	2016-17	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS	\$500	\$1,400,000	\$0
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$500</b>	<b>\$1,400,000</b>	<b>\$0</b>

**LEGISLATURE**

**Legislature 0081**

Initiative: Appropriates funds on a one-time basis to the Legislature to provide resources for the Joint Select Committee on Marijuana Legalization Implementation for the purposes of covering the costs of consultant services and necessary travel and expenses and any other purposes determined to be appropriate by the Joint Select Committee on Marijuana Legalization Implementation to assist the committee in the performance of its duties.

GENERAL FUND	2016-17	2017-18	2018-19
All Other	\$0	\$200,000	\$0
<b>TOTAL</b>	<b>\$0</b>	<b>\$200,000</b>	<b>\$0</b>

**LEGISLATURE**

DEPARTMENT TOTALS	2016-17	2017-18	2018-19
GENERAL FUND	\$0	\$200,000	\$0

DEPARTMENT TOTAL - ALL FUNDS	2016-17	2017-18	2018-19
GENERAL FUND	\$0	\$200,000	\$0
OTHER SPECIAL REVENUE FUNDS	\$500	\$1,400,000	\$0
<b>SECTION TOTAL - ALL FUNDS</b>	<b>\$500</b>	<b>\$1,600,000</b>	<b>\$0</b>

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

Effective June 29, 2017.

**CHAPTER 279**

**H.P. 354 - L.D. 491**

**An Act To Extend the Allowed Time for the Interchange of Educators between School Administrative Units and the Department of Education**

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

**Sec. 1. 5 MRSA §3003, last ¶**, as enacted by PL 1967, c. 266, is amended to read:

The Except as provided in section 3003-A, the period of individual assignment or detail under an interchange program ~~shall~~ may not exceed 12 months, nor ~~shall~~ may any person be assigned or detailed for more than 12 months during any 36-month period. Details relating to any matter covered in this chapter may be the subject of an agreement between the sending and receiving agencies. Elected officials ~~shall~~ may not be assigned from a sending agency nor detailed to a receiving agency.

**Sec. 2. 5 MRSA §3003-A** is enacted to read:

**§3003-A. Educator interchange program; period of assignment**

The period of an individual assignment of an educator under an interchange program, authorized under section 3003, between the educator's school administrative unit as the sending agency and the Department of Education as the receiving agency may not exceed 24 months nor may any educator be assigned under such an interchange program for more than 24 months

during any 36-month period. For the purposes of this section, "educator" means a teacher, principal or other education professional employed by a school administrative unit.

See title page for effective date.

## CHAPTER 280

### H.P. 1133 - L.D. 1642

#### An Act To Clarify Licensing Provisions for the Manufacture and Sale of Liquor

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

**Whereas,** the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations is charged with enforcing the laws relating to licensing of the manufacture and sale of liquor; and

**Whereas,** the bureau's recent interpretation of a law regarding brewery ownership could lead to consequences that were not intended by the Legislature; and

**Whereas,** it is imperative that the law be clarified as soon as possible to avoid unintended consequences that could imperil operations by breweries during premium tourism 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. 28-A MRSA §1355-A, sub-§2, ¶I,** as amended by PL 2017, c. 34, §1, is further amended to read:

I. A licensee may be issued one retail license under chapter 43 per licensed location for the sale of liquor to be consumed on the premises at the retail premises.

~~(1) The retail license must be held exclusively by the holder of the brewery, small brewery, winery, small winery, distillery or small distillery license.~~

(2) The retail license authorizes the sale of products of the brewery, small brewery, winery, small winery, distillery or small distillery, in addition to other liquor permitted to be

sold under the retail license, to be consumed on the premises.

(3) All records related to activities under a manufacturer license issued under this section must be kept separate from records related to the retail license.

(4) A distillery or small distillery must meet the requirements of subsection 5, paragraphs D and E.

(5) The licensee shall ensure that products purchased for off-premises consumption under paragraph D are not consumed on the licensed premises.

**Sec. 2. 28-A MRSA §1355-A, sub-§2-A** is enacted to read:

**2-A. Majority interest requirement.** A person licensed as a manufacturer under this section who is authorized by this section to hold a retail license may be issued a retail license as long as the manufacturer has a controlling interest in both the licensed manufacturing facility and the licensed retail establishment, regardless of the business structure of either licensed entity.

**Sec. 3. 28-A MRSA §1355-A, sub-§5, ¶E,** as enacted by PL 2011, c. 629, §22, is amended to read:

E. A holder of a distillery or small distillery license may be issued one license under chapter 43 per distillery location for a connected establishment for the sale of liquor to be consumed on the premises at the distillery.

(1) For the purposes of this paragraph, "connected establishment" means a Class A restaurant or a Class A restaurant/lounge that is owned ~~exclusively~~ by the holder of the in-state manufacturer license.

(2) All records of the manufacturer license must be kept separate from the records of the retail licensee.

**Sec. 4. Bureau of Alcoholic Beverages and Lottery Operations prohibited from suspending, revoking or refusing to renew certain licenses under certain circumstances.** Before June 30, 2018, the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations may not suspend, revoke or refuse to renew a license issued under the Maine Revised Statutes, Title 28-A, section 1355-A or Title 28-A, chapter 43 or 45 that was initially issued prior to June 1, 2017 solely on the basis that the establishment licensed under Title 28-A, chapter 43 or 45 was determined by the bureau after June 1, 2017 to not be exclusively held or exclusively owned by a person

licensed to manufacture liquor under Title 28-A, section 1355-A.

The prohibition described in this section does not apply if the reason for suspension, revocation or failure to renew is due to the licensee's substantial misrepresentation of or failure to disclose material facts required for the issuance or renewal of the license.

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

Effective June 29, 2017.

## CHAPTER 281 H.P. 329 - L.D. 463

### An Act To Improve the Funding of County Jails

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

**Sec. 1. 30-A MRSA §701, sub-§2-C**, as enacted by PL 2015, c. 335, §11, is amended to read:

**2-C. Tax assessment for correctional services beginning July 1, 2015.** Beginning July 1, 2015, the counties shall annually collect no less than \$62,172,371 from municipalities for the provision of correctional services in accordance with this subsection. The counties may collect an amount that is more than the base assessment limit established in this subsection, except that the additional amount each year may not exceed the base assessment limit as adjusted by the growth limitation factor established in section 706-A, subsection 3 or 3%, whichever is less. If a county collects in a year an amount that is more than the base assessment limit established for that county pursuant to this subsection, the base assessment limit in the succeeding year is the amount collected in the prior year. For the purposes of this subsection, "correctional services" includes management services, personal services, contractual services, commodity purchases, capital expenditures and all other costs, or portions thereof, necessary to maintain and operate correctional services. "Correctional services" does not include county jail debt unless there is a surplus in the account that pays for correctional services at the end of the state fiscal year.

The assessment to municipalities within each county may not be ~~greater or~~ less than the base assessment limit, 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 \$2,657,105 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 \$2,657,105 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 \$8,386,815 in York County.

See title page for effective date.

## CHAPTER 282 H.P. 910 - L.D. 1313

### An Act To Establish Energy Policy in Maine

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

**Sec. 1. 35-A MRSA §10109, sub-§3-A**, as enacted by PL 2015, c. 498, §1, is amended to read:

**3-A. Payments.** The trust shall transfer funds to the extent funds are available to the commission ~~\$3,000,000 per each year during fiscal years 2016-17, 2017-18 and 2018-19 and 2019-20~~ in accordance with this subsection to be used by the commission for disbursements to affected customers. ~~Affected customers who use~~ An affected customer who uses the entire disbursement received by that customer toward an efficiency measure approved by the trust in the fiscal year in which it is received must receive \$1 of assistance from the trust for every \$3 ~~of the disbursement plus any additional customer funds~~ that ~~is~~ are applied by the affected customer toward the cost of the approved efficiency measure as long as the total of assistance from the trust and the disbursement allocated by the commission under this subsection for that customer for that fiscal year does not exceed 65% of the total measure cost.

For the purposes of this subsection, "affected customer" means a customer who is not primarily in the business of selling electricity, is receiving service at a transmission or subtransmission voltage level as defined in section 10110, subsection 6 within the electrical utility transmission system administered by an in-

dependent system operator of the New England bulk power system or a successor organization and is an energy-intensive manufacturer, as defined in reports prepared by the U.S. Energy Information Administration. The commission may also determine that a manufacturer not defined as an energy-intensive manufacturer in reports prepared by the U.S. Energy Information Administration is an affected customer if that manufacturer meets the other requirements of the definition under this subsection.

~~A. No later than November 1st of each applicable fiscal year, the~~ The commission shall direct funds totaling \$3,000,000 per year during fiscal years 2016-17, 2017-18 and 2018-19 to be disbursed quarterly during fiscal years 2017-18, 2018-19 and 2019-20 for the benefit of affected customers in proportion to their retail purchase of electricity as measured in kilowatt-hours for the prior calendar year. The total amount to be disbursed from the fund, to the extent those funds are available, must be \$2,500,000 in fiscal year 2017-18, \$2,500,000 in fiscal year 2018-19 and \$1,000,000 in fiscal year 2019-20.

~~B. During fiscal years 2016-17, 2017-18 and 2018-19, and 2019-20, an affected customer who receives a disbursement under this subsection is not eligible to receive financial or other assistance from the trust fund established in this section except as allowed under this subsection. This ineligibility does not apply to any trust program opportunity notices issued before July 1, 2016 or to any affected customer that elects in writing to the commission prior to October 1, 2017 to not receive a disbursement under this subsection for the full period of fiscal years 2017-18 to 2019-20. The commission shall reduce the total amount to be disbursed under paragraph A as necessary to reflect the share of load represented by affected customers electing to opt out.~~

C. The commission shall include in its annual report pursuant to section 120, subsection 7 to the joint standing committee of the Legislature having jurisdiction over public utilities matters a description of the commission's activities in carrying out the requirements of this subsection, a list of affected customers receiving disbursements, a list of those who elected to use the disbursements toward efficiency measures and the results of the activities under this subsection.

**Sec. 2. 35-A MRSA §10109, sub-§4, ¶A,** as amended by PL 2015, c. 498, §2, is further amended to read:

A. The trust shall allocate 50% of the funds for residential programs and 50% for commercial and industrial programs. Trust funds must be allocated for measures, investments, loans, technical assistance and arrangements that reduce electricity

consumption, increase energy efficiency or reduce greenhouse gas emissions and lower energy costs at commercial or industrial facilities and for investment in measures that lower residential heating energy demand and reduce greenhouse gas emissions. The measures that lower residential heating demand must be fuel-neutral and may include, but are not limited to, energy efficiency improvements to residential buildings and upgrades to efficient heating systems that will reduce residential energy costs and greenhouse gas emissions, as determined by the board. The trust shall ensure that measures to reduce the cost of residential heating are available for low-income households as defined by the trust. When promoting electricity cost and consumption reduction, the trust may consider measures at commercial and industrial facilities that also lower peak capacity demand. Subject to the apportionment pursuant to this subsection, the trust shall fund conservation programs that give priority to measures with the highest benefit-to-cost ratio, as long as cost-effective collateral efficiency opportunities are not lost, and that:

- (1) Reliably reduce greenhouse gas production and heating energy costs by fossil fuel combustion in the State at the lowest cost in funds from the trust fund per unit of emissions; or
- (2) Reliably increase the efficiency with which energy in the State is consumed at the lowest cost in funds from the trust fund per unit of energy saved.

Notwithstanding this paragraph, during fiscal years 2017-18 to 2019-20, the trust is not required to allocate 50% of the funds to residential programs and 50% of the funds to commercial and industrial programs and may instead allocate those funds to programs at the trust's discretion.

**Sec. 3. 35-A MRSA §10111, sub-§2,** as amended by PL 2015, c. 425, §1, is further amended to read:

**2. Funding level.** The natural gas conservation fund, which is a nonlapsing fund, is established to carry out the purposes of this section. The commission shall assess each gas utility, in accordance with the triennial plan, an amount necessary to capture all cost-effective energy efficiency that is achievable and reliable for those consumers who are eligible to receive funds from the natural gas conservation fund. The commission shall direct a gas utility that collects any portion of the assessment under this subsection from a customer that is a large-volume manufacturer to collect the assessment only on the first 1,000,000 centum cubic feet of natural gas used by that manufacturer in each year. The limitation on the collection of the assessment from large-volume manufacturers may

not affect the trust's determination of the amount necessary to capture all cost-effective energy efficiency that is achievable and reliable. The limitation does not limit the eligibility of a large-volume manufacturer to participate in a natural gas conservation program. All amounts collected under this subsection must be transferred to the natural gas conservation fund. Any interest on funds in the fund must be credited to the fund. Funds not spent in any fiscal year remain in the fund to be used for the purposes of this section.

The assessments charged to gas utilities under this section are just and reasonable costs for rate-making purposes and must be reflected in the rates of gas utilities.

All funds collected pursuant to this section are collected under the authority and for the purposes of this section and are deemed to be held in trust for the purposes of benefiting natural gas consumers served by the gas utilities assessed under this subsection. In the event funds are not expended or contracted for expenditure within 2 years of being collected from consumers, the commission shall ensure that the value of those funds is returned to consumers.

For purposes of this subsection, "large-volume manufacturer" means a customer that is a gas utility rate-payer engaged in manufacturing in the State and purchases at least 1,000,000 centum cubic feet of natural gas per year.

Rules adopted by the commission under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

See title page for effective date.

**CHAPTER 283**  
**H.P. 995 - L.D. 1440**  
**An Act Making Unified**  
**Appropriations and Allocations**  
**for the Expenditures of State**  
**Government, Highway Fund**  
**and Other Funds, and**  
**Changing Certain Provisions of**  
**the Law Necessary to the**  
**Proper Operations of State**  
**Government for the Fiscal**  
**Years Ending June 30, 2018**  
**and June 30, 2019**

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

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

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

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

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

**PART A**

**Sec. A-1. Appropriations and allocations.**

The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Budget - Bureau of the 0055**

Initiative: BASELINE BUDGET

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS -	1.000	1.000
LEGISLATIVE COUNCIL		
Personal Services	\$111,819	\$116,641
All Other	\$8,893	\$8,893
	<hr/>	<hr/>
<b>HIGHWAY FUND TOTAL</b>	<b>\$120,712</b>	<b>\$125,534</b>

**Buildings and Grounds Operations 0080**

Initiative: BASELINE BUDGET

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS -	11.000	11.000
LEGISLATIVE COUNCIL		
Personal Services	\$534,782	\$549,635
All Other	\$1,077,241	\$1,077,241
	<hr/>	<hr/>
<b>HIGHWAY FUND TOTAL</b>	<b>\$1,612,023</b>	<b>\$1,626,876</b>

**Buildings and Grounds Operations 0080**

Initiative: Provides funding for electricity costs of the Department of Transportation's Child Street facility that are paid for by the Department of Administrative and Financial Services.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$180,000	\$180,000
	<hr/>	<hr/>
<b>HIGHWAY FUND TOTAL</b>	<b>\$180,000</b>	<b>\$180,000</b>

**Buildings and Grounds Operations 0080**

Initiative: Provides funding for a 25% increase in electricity delivery costs.

HIGHWAY FUND	2017-18	2018-19
All Other	\$45,000	\$45,000
<b>HIGHWAY FUND TOTAL</b>	<b>\$45,000</b>	<b>\$45,000</b>

**Claims Board 0097**

Initiative: BASELINE BUDGET

HIGHWAY FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,500	1,500
Personal Services	\$113,874	\$117,323
All Other	\$30,036	\$30,036
<b>HIGHWAY FUND TOTAL</b>	<b>\$143,910</b>	<b>\$147,359</b>

**Claims Board 0097**

Initiative: Provides funding for per diem payments for the State Claims Commission members.

HIGHWAY FUND	2017-18	2018-19
Personal Services	\$6,000	\$6,000
All Other	(\$6,000)	(\$6,000)
<b>HIGHWAY FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Claims Board 0097**

Initiative: Eliminates one vacant Office Specialist I position and reduces funding for related All Other costs.

HIGHWAY FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$64,773)	(\$68,145)
All Other	(\$5,384)	(\$5,692)
<b>HIGHWAY FUND TOTAL</b>	<b>(\$70,157)</b>	<b>(\$73,837)</b>

**Revenue Services, Bureau of 0002**

Initiative: BASELINE BUDGET

HIGHWAY FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$525,559	\$531,049
All Other	\$32,095	\$32,095

HIGHWAY FUND TOTAL	\$557,654	\$563,144
<b>ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>HIGHWAY FUND</b>	<b>\$2,589,142</b>	<b>\$2,614,076</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$2,589,142</b>	<b>\$2,614,076</b>

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

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

**Air Quality 0250**

Initiative: BASELINE BUDGET

HIGHWAY FUND	2017-18	2018-19
All Other	\$33,054	\$33,054
<b>HIGHWAY FUND TOTAL</b>	<b>\$33,054</b>	<b>\$33,054</b>

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

**LEGISLATURE**

**Legislature 0081**

Initiative: BASELINE BUDGET

HIGHWAY FUND	2017-18	2018-19
Personal Services	\$5,720	\$3,575
All Other	\$7,280	\$4,550
<b>HIGHWAY FUND TOTAL</b>	<b>\$13,000</b>	<b>\$8,125</b>

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

**MUNICIPAL BOND BANK, MAINE**

**TransCap Trust Fund Z064**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$38,174,512	\$38,174,512

OTHER SPECIAL	\$38,174,512	\$38,174,512
REVENUE FUNDS TOTAL		

**TransCap Trust Fund Z064**

Initiative: Adjusts funding on a one-time basis to align allocation with a projected Highway Fund transfer.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$6,253,259	\$6,328,638

OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,253,259	\$6,328,638
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**TransCap Trust Fund Z064**

Initiative: Adjusts funding to align allocation with projected available resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$4,213,182)	(\$3,961,148)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$4,213,182)	(\$3,961,148)
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**MUNICIPAL BOND BANK, MAINE**

DEPARTMENT TOTALS	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS	\$40,214,589	\$40,542,002
DEPARTMENT TOTAL - ALL FUNDS	\$40,214,589	\$40,542,002

**Sec. A-5. Appropriations and allocations.**

The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF**

**Administration - Public Safety 0088**

Initiative: BASELINE BUDGET

HIGHWAY FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$103,321	\$105,399
All Other	\$680,219	\$680,219
HIGHWAY FUND TOTAL	\$783,540	\$785,618

**Administration - Public Safety 0088**

Initiative: Provides funding for the approved reorganization of one Public Service Executive II position from range 34 to range 36.

HIGHWAY FUND	2017-18	2018-19
Personal Services	\$5,694	\$5,702
All Other	\$120	\$121
HIGHWAY FUND TOTAL	\$5,814	\$5,823

**Highway Safety DPS 0457**

Initiative: BASELINE BUDGET

HIGHWAY FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$72,262	\$75,678
All Other	\$497,132	\$497,132
HIGHWAY FUND TOTAL	\$569,394	\$572,810

**Highway Safety DPS 0457**

Initiative: Provides Personal Services funding for the approved reorganization of one Office Associate II position to a Senior Contract/Grant Specialist position in the Highway Safety DPS program, Federal Expenditures Fund; provides All Other funding for the department's indirect cost allocation plan costs in the Public Safety Administration program, General Fund; and reduces All Other funding for costs no longer needed to support the position in the Highway Safety DPS program, Highway Fund.

HIGHWAY FUND	2017-18	2018-19
All Other	(\$51,610)	(\$51,610)
HIGHWAY FUND TOTAL	(\$51,610)	(\$51,610)

**Motor Vehicle Inspection 0329**

Initiative: BASELINE BUDGET

HIGHWAY FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$781,229	\$795,302
All Other	\$287,438	\$287,438
HIGHWAY FUND TOTAL	\$1,068,667	\$1,082,740

**Motor Vehicle Inspection 0329**

Initiative: Provides funding to purchase one sedan in each year of the 2018-2019 biennium.

HIGHWAY FUND	2017-18	2018-19
Capital Expenditures	\$20,497	\$21,112
<b>HIGHWAY FUND TOTAL</b>	<b>\$20,497</b>	<b>\$21,112</b>

**Motor Vehicle Inspection 0329**

Initiative: Provides funding for online inspection sticker sales.

HIGHWAY FUND	2017-18	2018-19
All Other	\$57,258	\$57,258
<b>HIGHWAY FUND TOTAL</b>	<b>\$57,258</b>	<b>\$57,258</b>

**Motor Vehicle Inspection 0329**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Information Technology increase in technology costs.

HIGHWAY FUND	2017-18	2018-19
All Other	\$13,211	\$12,601
<b>HIGHWAY FUND TOTAL</b>	<b>\$13,211</b>	<b>\$12,601</b>

**State Police 0291**

Initiative: BASELINE BUDGET

HIGHWAY FUND	2017-18	2018-19
Personal Services	\$14,187,674	\$14,426,929
All Other	\$5,934,217	\$5,934,217
<b>HIGHWAY FUND TOTAL</b>	<b>\$20,121,891</b>	<b>\$20,361,146</b>

**State Police 0291**

Initiative: Provides funding for Computer Forensic Analyst overtime pay.

HIGHWAY FUND	2017-18	2018-19
Personal Services	\$4,235	\$4,242
All Other	\$75	\$75
<b>HIGHWAY FUND TOTAL</b>	<b>\$4,310</b>	<b>\$4,317</b>

**State Police 0291**

Initiative: Transfers one Inventory and Property Associate II position from Other Special Revenue Funds to the Highway Fund within the same program.

HIGHWAY FUND	2017-18	2018-19

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$22,846	\$23,059
All Other	\$409	\$412
<b>HIGHWAY FUND TOTAL</b>	<b>\$23,255</b>	<b>\$23,471</b>

**State Police 0291**

Initiative: Provides funding for the uniform crime reporting system.

HIGHWAY FUND	2017-18	2018-19
All Other	\$12,546	\$12,546
<b>HIGHWAY FUND TOTAL</b>	<b>\$12,546</b>	<b>\$12,546</b>

**State Police 0291**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Information Technology increase in technology costs.

HIGHWAY FUND	2017-18	2018-19
All Other	\$53,177	\$72,712
<b>HIGHWAY FUND TOTAL</b>	<b>\$53,177</b>	<b>\$72,712</b>

**State Police 0291**

Initiative: Provides funding for the approved range change of 2 Computer Forensic Analyst positions from range 25 to range 27, effective January 1, 2015.

HIGHWAY FUND	2017-18	2018-19
Personal Services	\$1,895	\$1,898
All Other	\$33	\$33
<b>HIGHWAY FUND TOTAL</b>	<b>\$1,928</b>	<b>\$1,931</b>

**State Police 0291**

Initiative: Provides funding for the approved reclassification of one Forensic Technician position to a Forensic Chemist Technician position.

HIGHWAY FUND	2017-18	2018-19
Personal Services	\$733	\$763
All Other	\$13	\$13
<b>HIGHWAY FUND TOTAL</b>	<b>\$746</b>	<b>\$776</b>

**State Police 0291**

Initiative: Provides funding for the replacement and maintenance of the records management system.

HIGHWAY FUND	2017-18	2018-19
All Other	\$0	\$84,059
<b>HIGHWAY FUND TOTAL</b>	<b>\$0</b>	<b>\$84,059</b>

**State Police 0291**

Initiative: Provides funding for a contract to move the housing of services for the Maine telecommunications and radio operations system from the Office of Information Services to a public vendor, as well as provide a system upgrade and equipment update.

HIGHWAY FUND	2017-18	2018-19
All Other	\$22,717	\$26,481
<b>HIGHWAY FUND TOTAL</b>	<b>\$22,717</b>	<b>\$26,481</b>

**State Police - Support 0981**

Initiative: BASELINE BUDGET

HIGHWAY FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$601,827	\$614,164
All Other	\$11,145	\$11,145
<b>HIGHWAY FUND TOTAL</b>	<b>\$612,972</b>	<b>\$625,309</b>

**Traffic Safety 0546**

Initiative: BASELINE BUDGET

HIGHWAY FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$988,152	\$1,005,445
All Other	\$275,485	\$275,485
<b>HIGHWAY FUND TOTAL</b>	<b>\$1,263,637</b>	<b>\$1,280,930</b>

**Traffic Safety 0546**

Initiative: Provides funding to purchase 2 Police Interceptor sport utility vehicles in each year of the 2018-2019 biennium.

HIGHWAY FUND	2017-18	2018-19
Capital Expenditures	\$62,830	\$64,716
<b>HIGHWAY FUND TOTAL</b>	<b>\$62,830</b>	<b>\$64,716</b>

**Traffic Safety 0546**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Information Technology increase in technology costs.

HIGHWAY FUND	2017-18	2018-19
All Other	\$10,708	\$10,708
<b>HIGHWAY FUND TOTAL</b>	<b>\$10,708</b>	<b>\$10,708</b>

**Traffic Safety - Commercial Vehicle Enforcement 0715**

Initiative: BASELINE BUDGET

HIGHWAY FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	46.000	46.000
Personal Services	\$4,828,193	\$4,890,095
All Other	\$972,839	\$972,839
<b>HIGHWAY FUND TOTAL</b>	<b>\$5,801,032</b>	<b>\$5,862,934</b>

**Traffic Safety - Commercial Vehicle Enforcement 0715**

Initiative: Provides funding to purchase 9 Police Interceptor sport utility vehicles in each year of the 2018-2019 biennium.

HIGHWAY FUND	2017-18	2018-19
Capital Expenditures	\$116,388	\$119,880
<b>HIGHWAY FUND TOTAL</b>	<b>\$116,388</b>	<b>\$119,880</b>

**Traffic Safety - Commercial Vehicle Enforcement 0715**

Initiative: Eliminates one vacant State Police Sergeant-E position and one vacant State Police Trooper position in fiscal year 2018-19.

HIGHWAY FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	(2.000)
Personal Services	\$0	(\$243,900)
<b>HIGHWAY FUND TOTAL</b>	<b>\$0</b>	<b>(\$243,900)</b>

**Traffic Safety - Commercial Vehicle Enforcement 0715**

Initiative: Provides funding for the approved range change of 6 Motor Carrier Inspector positions from range 18 to range 20, retroactive to 2015.

HIGHWAY FUND	2017-18	2018-19
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Personal Services	\$59,802	\$18,600
All Other	\$928	\$289
<b>HIGHWAY FUND TOTAL</b>	<b>\$60,730</b>	<b>\$18,889</b>
<b>PUBLIC SAFETY, DEPARTMENT OF</b>		
<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>HIGHWAY FUND</b>	<b>\$30,635,638</b>	<b>\$30,813,257</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$30,635,638</b>	<b>\$30,813,257</b>

**Sec. A-6. Appropriations and allocations.**

The following appropriations and allocations are made.

**SECRETARY OF STATE, DEPARTMENT OF  
Administration - Motor Vehicles 0077**

Initiative: BASELINE BUDGET

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	367.000	367.000
Personal Services	\$25,965,080	\$26,594,415
All Other	\$10,977,587	\$10,977,587
<b>HIGHWAY FUND TOTAL</b>	<b>\$36,942,667</b>	<b>\$37,572,002</b>

**Administration - Motor Vehicles 0077**

Initiative: Provides one-time funding to develop an enhanced web service interface for the judicial case management system.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$5,193	\$10,385
<b>HIGHWAY FUND TOTAL</b>	<b>\$5,193</b>	<b>\$10,385</b>

**Administration - Motor Vehicles 0077**

Initiative: Provides funding for software maintenance of the electronic commercial driver license and road scholar system.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$68,943	\$68,943
<b>HIGHWAY FUND TOTAL</b>	<b>\$68,943</b>	<b>\$68,943</b>

**Administration - Motor Vehicles 0077**

Initiative: Provides one-time funding for one storage array for the production system in fiscal year 2017-18.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$109,110	\$0
Capital Expenditures	\$34,630	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>\$143,740</b>	<b>\$0</b>

**Administration - Motor Vehicles 0077**

Initiative: Provides funding for the migration to a cloud-based system for e-mail, active directory and office products by the Department of Administrative and Financial Services, Office of Information Technology.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$213,125	\$213,125
<b>HIGHWAY FUND TOTAL</b>	<b>\$213,125</b>	<b>\$213,125</b>

**Administration - Motor Vehicles 0077**

Initiative: Provides funding for the call management system assessment by the Department of Administrative and Financial Services, Office of Information Technology.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$8,433	\$8,433
<b>HIGHWAY FUND TOTAL</b>	<b>\$8,433</b>	<b>\$8,433</b>

**Administration - Motor Vehicles 0077**

Initiative: Establishes 2 Motor Vehicle Detective positions and one Office Associate II position to manage the licensing of scrap metal recyclers and mobile scrap metal dealers and provides funding for related All Other costs.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$227,061	\$237,818
All Other	\$68,317	\$34,212
<b>HIGHWAY FUND TOTAL</b>	<b>\$295,378</b>	<b>\$272,030</b>

**Administration - Motor Vehicles 0077**

Initiative: Provides one-time funding for one storage array for disaster recovery in fiscal year 2017-18.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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All Other	\$78,010	\$0
Capital Expenditures	\$22,250	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>\$100,260</b>	<b>\$0</b>

**Administration - Motor Vehicles 0077**

Initiative: Provides funding for a portion of the state match to implement an automated over-limit routing, restriction management and permitting system.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$250,000	\$250,000
<b>HIGHWAY FUND TOTAL</b>	<b>\$250,000</b>	<b>\$250,000</b>

**Administration - Motor Vehicles 0077**

Initiative: Provides one-time funding for one storage array for the document management system in fiscal year 2017-18.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$106,852	\$0
Capital Expenditures	\$34,630	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>\$141,482</b>	<b>\$0</b>

**Administration - Motor Vehicles 0077**

Initiative: Provides one-time funding for 2 database servers for the production system in fiscal year 2018-19.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$27,398
Capital Expenditures	\$0	\$59,250
<b>HIGHWAY FUND TOTAL</b>	<b>\$0</b>	<b>\$86,648</b>

**Administration - Motor Vehicles 0077**

Initiative: Provides one-time funding for one database server for disaster recovery in fiscal year 2018-19.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$13,699
Capital Expenditures	\$0	\$29,625
<b>HIGHWAY FUND TOTAL</b>	<b>\$0</b>	<b>\$43,324</b>

**Administration - Motor Vehicles 0077**

Initiative: Provides one-time funding for 3 scanners to convert paper documents to digital images in fiscal year 2017-18.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Capital Expenditures	\$39,000	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>\$39,000</b>	<b>\$0</b>

**Administration - Motor Vehicles 0077**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Information Technology enterprise functions.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$9,394	\$9,394
<b>HIGHWAY FUND TOTAL</b>	<b>\$9,394</b>	<b>\$9,394</b>

**Administration - Motor Vehicles 0077**

Initiative: Provides funding for the annual maintenance of the software licensing and hardware for the administration of active directory and e-mail services.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$51,059	\$51,059
<b>HIGHWAY FUND TOTAL</b>	<b>\$51,059</b>	<b>\$51,059</b>

**Administration - Motor Vehicles 0077**

Initiative: Provides funding for storage space for the disaster recovery server and storage array at the Department of Administrative and Financial Services, Office of Information Technology.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$54,438	\$54,438
<b>HIGHWAY FUND TOTAL</b>	<b>\$54,438</b>	<b>\$54,438</b>

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

<b>HIGHWAY FUND</b>	<b>\$38,323,112</b>	<b>\$38,639,781</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$38,323,112</b>	<b>\$38,639,781</b>

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

**TRANSPORTATION, DEPARTMENT OF  
Administration 0339**

Initiative: BASELINE BUDGET

HIGHWAY FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNTR	97,500	97,500
Personal Services	\$8,508,955	\$8,704,627
All Other	\$3,982,538	\$3,982,538
<b>HIGHWAY FUND TOTAL</b>	<b>\$12,491,493</b>	<b>\$12,687,165</b>

**Administration 0339**

Initiative: Adjusts funding for technology costs based on the rate schedules provided by the Department of Administrative and Financial Services, Office of Information Technology.

HIGHWAY FUND	2017-18	2018-19
All Other	\$886,501	\$887,481
<b>HIGHWAY FUND TOTAL</b>	<b>\$886,501</b>	<b>\$887,481</b>

**Administration 0339**

Initiative: Transfers funding for the operations of the headquarters building from the Administration program to the Maintenance and Operations program within the same fund.

HIGHWAY FUND	2017-18	2018-19
All Other	(\$492,064)	(\$492,064)
<b>HIGHWAY FUND TOTAL</b>	<b>(\$492,064)</b>	<b>(\$492,064)</b>

**Administration 0339**

Initiative: Provides funds for anticipated tort liability insurance increases at rates provided by the Department of Administrative and Financial Services, Division of Risk Management.

HIGHWAY FUND	2017-18	2018-19
All Other	\$124,685	\$124,685
<b>HIGHWAY FUND TOTAL</b>	<b>\$124,685</b>	<b>\$124,685</b>

**Administration 0339**

Initiative: Provides funding for the approved reorganization of one Senior Legal Administrator position to a Public Service Manager II position. Also transfers and reallocates the position from 100% Highway Fund in the Administration program to 45% Highway Fund, 50% Federal Expenditures Fund and 5% Other Special Revenue Funds in the Highway and Bridge Capital program.

HIGHWAY FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNTR	(1,000)	(1,000)
Personal Services	(\$96,540)	(\$101,409)
<b>HIGHWAY FUND TOTAL</b>	<b>(\$96,540)</b>	<b>(\$101,409)</b>

**Administration 0339**

Initiative: Provides funding to increase the hours bi-weekly of various positions in order to make these positions full-time. Position detail is on file in the Bureau of the Budget.

HIGHWAY FUND	2017-18	2018-19
Personal Services	\$70,101	\$73,531
<b>HIGHWAY FUND TOTAL</b>	<b>\$70,101</b>	<b>\$73,531</b>

**Administration 0339**

Initiative: Transfers one Staff Accountant position from the Highway Fund in the Administration program to the Fleet Services Fund in the Fleet Services program.

HIGHWAY FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNTR	(1,000)	(1,000)
Personal Services	(\$74,178)	(\$75,275)
<b>HIGHWAY FUND TOTAL</b>	<b>(\$74,178)</b>	<b>(\$75,275)</b>

**Administration 0339**

Initiative: Transfers and reallocates one Office Associate II position from 96% Highway Fund and 4% Federal Expenditures Fund in the Maintenance and Operations program to 100% Highway Fund in the Administration program.

HIGHWAY FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNTR	1,000	1,000
Personal Services	\$62,712	\$65,876
<b>HIGHWAY FUND TOTAL</b>	<b>\$62,712</b>	<b>\$65,876</b>

**Bond Interest - Highway 0358**

Initiative: BASELINE BUDGET

HIGHWAY FUND	2017-18	2018-19
All Other	\$1,691,210	\$905,540

HIGHWAY FUND TOTAL	\$1,691,210	\$905,540
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**Bond Retirement - Highway 0359**

Initiative: BASELINE BUDGET

HIGHWAY FUND	2017-18	2018-19
All Other	\$18,285,000	\$12,500,000
HIGHWAY FUND TOTAL	\$18,285,000	\$12,500,000

**Callahan Mine Site Restoration Z007**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$740,000	\$740,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$740,000	\$740,000

**Fleet Services 0347**

Initiative: BASELINE BUDGET

FLEET SERVICES FUND - DOT	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	26.000	26.000
POSITIONS - FTE COUNT	132.000	132.000
Personal Services	\$11,187,601	\$11,508,503
All Other	\$18,049,732	\$18,049,732
FLEET SERVICES FUND - DOT TOTAL	\$29,237,333	\$29,558,235

**Fleet Services 0347**

Initiative: Transfers and reallocates one Inventory and Property Associate II position from 100% Fleet Services Fund in the Fleet Services program to 96% Highway Fund and 4% Federal Expenditures Fund in the Maintenance and Operations program.

FLEET SERVICES FUND - DOT	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$63,864)	(\$67,027)
FLEET SERVICES FUND - DOT TOTAL	(\$63,864)	(\$67,027)

**Fleet Services 0347**

Initiative: Adjusts funding for technology costs based on the rate schedules provided by the Department of Administrative and Financial Services, Office of Information Technology.

FLEET SERVICES FUND - DOT	2017-18	2018-19
All Other	(\$41,182)	(\$40,579)
FLEET SERVICES FUND - DOT TOTAL	(\$41,182)	(\$40,579)

**Fleet Services 0347**

Initiative: Transfers one Staff Accountant position from the Highway Fund in the Administration program to the Fleet Services Fund in the Fleet Services program.

FLEET SERVICES FUND - DOT	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$74,178	\$75,275
FLEET SERVICES FUND - DOT TOTAL	\$74,178	\$75,275

**Highway and Bridge Capital 0406**

Initiative: BASELINE BUDGET

HIGHWAY FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	457.000	457.000
POSITIONS - FTE COUNT	20.192	20.192
Personal Services	\$19,350,957	\$19,738,911
All Other	\$18,032,584	\$18,032,584
HIGHWAY FUND TOTAL	\$37,383,541	\$37,771,495

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$21,768,377	\$22,198,123
All Other	\$42,681,933	\$42,681,933
FEDERAL EXPENDITURES FUND TOTAL	\$64,450,310	\$64,880,056

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
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Personal Services	\$2,413,954	\$2,457,131
All Other	\$4,592,216	\$4,592,216
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$7,006,170</b>	<b>\$7,049,347</b>

**Highway and Bridge Capital 0406**

Initiative: Provides funding for Capital Expenditures within the Federal Expenditures Fund and Other Special Revenue Funds in various programs.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Capital Expenditures	\$117,000,000	\$120,000,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$117,000,000</b>	<b>\$120,000,000</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Capital Expenditures	\$10,000,000	\$10,000,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$10,000,000</b>	<b>\$10,000,000</b>

**Highway and Bridge Capital 0406**

Initiative: Adjusts funding for technology costs based on the rate schedules provided by the Department of Administrative and Financial Services, Office of Information Technology.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,001,265	\$853,897
<b>HIGHWAY FUND TOTAL</b>	<b>\$1,001,265</b>	<b>\$853,897</b>

**Highway and Bridge Capital 0406**

Initiative: Provides funding for new GARVEE bond funding for highway and bridge needs statewide.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Capital Expenditures	\$0	\$50,000,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$50,000,000</b>

**Highway and Bridge Capital 0406**

Initiative: Provides funding for the approved reorganization of 3 Assistant Technician positions to Civil Engineer III positions, 2 Assistant Technician posi-

tions to Civil Engineer II positions, one Assistant Technician position to a Project Manager I position and one Assistant Technician position to a Public Service Manager II position.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$105,979	\$112,416
<b>HIGHWAY FUND TOTAL</b>	<b>\$105,979</b>	<b>\$112,416</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$117,750	\$124,907
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$117,750</b>	<b>\$124,907</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$11,773	\$12,491
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$11,773</b>	<b>\$12,491</b>

**Highway and Bridge Capital 0406**

Initiative: Provides funding for the approved reorganization of one Senior Legal Administrator position to a Public Service Manager II position. Also transfers and reallocates the position from 100% Highway Fund in the Administration program to 45% Highway Fund, 50% Federal Expenditures Fund and 5% Other Special Revenue Funds in the Highway and Bridge Capital program.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$48,885	\$51,262
All Other	\$600	\$600
<b>HIGHWAY FUND TOTAL</b>	<b>\$49,485</b>	<b>\$51,862</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$54,318	\$56,958
All Other	\$600	\$600
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$54,918</b>	<b>\$57,558</b>

	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
Personal Services	\$5,427	\$5,693
All Other	\$50	\$50
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$5,477</b>	<b>\$5,743</b>

**Highway and Bridge Capital 0406**

Initiative: Provides funding to increase the hours bi-weekly of various positions in order to make these positions full-time. Position detail is on file in the Bureau of the Budget.

	2017-18	2018-19
<b>HIGHWAY FUND</b>		
Personal Services	\$27,437	\$28,773
<b>HIGHWAY FUND TOTAL</b>	<b>\$27,437</b>	<b>\$28,773</b>

	2017-18	2018-19
<b>FEDERAL EXPENDITURES FUND</b>		
Personal Services	\$21,205	\$22,223
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$21,205</b>	<b>\$22,223</b>

	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
Personal Services	\$2,119	\$2,222
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,119</b>	<b>\$2,222</b>

**Highway and Bridge Capital 0406**

Initiative: Transfers and reallocates one Technician position from 96% Highway Fund and 4% Federal Expenditures Fund in the Maintenance and Operations program to 45% Highway Fund, 50% Federal Expenditures Fund and 5% Other Special Revenue Funds in the Highway and Bridge Capital program.

	2017-18	2018-19
<b>HIGHWAY FUND</b>		
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$32,630	\$34,024
<b>HIGHWAY FUND TOTAL</b>	<b>\$32,630</b>	<b>\$34,024</b>

	2017-18	2018-19
<b>FEDERAL EXPENDITURES FUND</b>		
Personal Services	\$36,257	\$37,807

FEDERAL EXPENDITURES FUND TOTAL	\$36,257	\$37,807
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	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
Personal Services	\$3,622	\$3,777
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$3,622</b>	<b>\$3,777</b>

**Highway and Bridge Capital 0406**

Initiative: Transfers and reallocates one Assistant Technician position from 45% Highway Fund, 50% Federal Expenditures Fund and 5% Other Special Revenue Funds in the Highway and Bridge Capital program to 96% Highway Fund and 4% Federal Expenditures Fund in the Maintenance and Operations program.

	2017-18	2018-19
<b>HIGHWAY FUND</b>		
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$28,685)	(\$29,388)
<b>HIGHWAY FUND TOTAL</b>	<b>(\$28,685)</b>	<b>(\$29,388)</b>

	2017-18	2018-19
<b>FEDERAL EXPENDITURES FUND</b>		
Personal Services	(\$31,874)	(\$32,656)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$31,874)</b>	<b>(\$32,656)</b>

	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
Personal Services	(\$3,186)	(\$3,261)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$3,186)</b>	<b>(\$3,261)</b>

**Highway and Bridge Capital 0406**

Initiative: Provides funding for the approved reorganization of one Occupational Safety Engineer position to a Public Service Manager I position and increases the hours from 54 hours to 80 hours biweekly. Also transfers All Other to Personal Services to fund the position changes.

	2017-18	2018-19
<b>HIGHWAY FUND</b>		
Personal Services	\$18,595	\$19,567

All Other	(\$18,595)	(\$19,567)
<b>HIGHWAY FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$20,660	\$21,742
All Other	(\$20,660)	(\$21,742)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$2,065	\$2,174
All Other	(\$2,065)	(\$2,174)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Highway and Bridge Capital 0406**

Initiative: Provides funding for Capital Expenditures.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Capital Expenditures	\$867,218	\$1,734,436
<b>HIGHWAY FUND TOTAL</b>	<b>\$867,218</b>	<b>\$1,734,436</b>

**Highway Light Capital Z095**

Initiative: BASELINE BUDGET

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$2,250,000	\$2,250,000
<b>HIGHWAY FUND TOTAL</b>	<b>\$2,250,000</b>	<b>\$2,250,000</b>

**Highway Light Capital Z095**

Initiative: Provides funding for the Highway Light Capital program at a level to provide approximately 600 miles of light capital paving per year, among other work, depending on bid prices and the severity of winter weather.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$2,493,750	\$2,565,000
Capital Expenditures	\$226,933	\$773,755
<b>HIGHWAY FUND TOTAL</b>	<b>\$2,720,683</b>	<b>\$3,338,755</b>

**Highway Light Capital Z095**

Initiative: Provides authority to spend the return of the cash available after the repayment of bonds from the funds previously transferred to the Maine Municipal Bond Bank TransCap Trust Fund.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Capital Expenditures	\$17,500,000	\$17,500,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$17,500,000</b>	<b>\$17,500,000</b>

**Local Road Assistance Program 0337**

Initiative: BASELINE BUDGET

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$20,936,671	\$20,936,671
<b>HIGHWAY FUND TOTAL</b>	<b>\$20,936,671</b>	<b>\$20,936,671</b>

**Local Road Assistance Program 0337**

Initiative: Adjusts funding in the Local Road Assistance Program at the correct proportioned rate per the Maine Revised Statutes, Title 23, section 1803-B.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$321,766	\$142,926
<b>HIGHWAY FUND TOTAL</b>	<b>\$321,766</b>	<b>\$142,926</b>

**Maintenance and Operations 0330**

Initiative: BASELINE BUDGET

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNCIL	159.000	159.000
POSITIONS - FTE COUNCIL	1,055.059	1,055.059
Personal Services	\$79,991,025	\$82,251,788
All Other	\$66,014,965	\$66,014,965
<b>HIGHWAY FUND TOTAL</b>	<b>\$146,005,990</b>	<b>\$148,266,753</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$3,391,433	\$3,485,389
All Other	\$5,106,169	\$5,106,169
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$8,497,602</b>	<b>\$8,591,558</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$100,000	\$100,000
All Other	\$1,374,886	\$1,374,886
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,474,886</b>	<b>\$1,474,886</b>

INDUSTRIAL DRIVE FACILITY FUND	2017-18	2018-19
All Other	\$500,000	\$500,000
<b>INDUSTRIAL DRIVE FACILITY FUND TOTAL</b>	<b>\$500,000</b>	<b>\$500,000</b>

**Maintenance and Operations 0330**

Initiative: Provides funding for the purchase of approximately 50 vehicles in each fiscal year of the biennium in accordance with the long-term equipment purchasing plan.

HIGHWAY FUND	2017-18	2018-19
Capital Expenditures	\$6,400,000	\$6,450,000
<b>HIGHWAY FUND TOTAL</b>	<b>\$6,400,000</b>	<b>\$6,450,000</b>

**Maintenance and Operations 0330**

Initiative: Transfers and reallocates one Inventory and Property Associate II position from 100% Fleet Services Fund in the Fleet Services program to 96% Highway Fund and 4% Federal Expenditures Fund in the Maintenance and Operations program.

HIGHWAY FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$61,310	\$64,346
<b>HIGHWAY FUND TOTAL</b>	<b>\$61,310</b>	<b>\$64,346</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$2,554	\$2,681
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,554</b>	<b>\$2,681</b>

**Maintenance and Operations 0330**

Initiative: Adjusts funding for technology costs based on the rate schedules provided by the Department of

Administrative and Financial Services, Office of Information Technology.

HIGHWAY FUND	2017-18	2018-19
All Other	\$983,899	\$1,207,485
<b>HIGHWAY FUND TOTAL</b>	<b>\$983,899</b>	<b>\$1,207,485</b>

**Maintenance and Operations 0330**

Initiative: Provides funding for the purchase of capital equipment to be used in the maintenance of the transportation system.

HIGHWAY FUND	2017-18	2018-19
Capital Expenditures	\$601,000	\$601,000
<b>HIGHWAY FUND TOTAL</b>	<b>\$601,000</b>	<b>\$601,000</b>

**Maintenance and Operations 0330**

Initiative: Transfers funding for the operations of the headquarters building from the Administration program to the Maintenance and Operations program within the same fund.

HIGHWAY FUND	2017-18	2018-19
All Other	\$492,064	\$492,064
<b>HIGHWAY FUND TOTAL</b>	<b>\$492,064</b>	<b>\$492,064</b>

**Maintenance and Operations 0330**

Initiative: Provides funding for the replacement of a boiler, an air handling unit and roof repairs at the headquarters building on Child Street.

HIGHWAY FUND	2017-18	2018-19
Capital Expenditures	\$245,000	\$330,000
<b>HIGHWAY FUND TOTAL</b>	<b>\$245,000</b>	<b>\$330,000</b>

**Maintenance and Operations 0330**

Initiative: Provides funding to increase the hours bi-weekly of various positions in order to make these positions full-time. Position detail is on file in the Bureau of the Budget.

HIGHWAY FUND	2017-18	2018-19
Personal Services	\$8,350	\$8,778
<b>HIGHWAY FUND TOTAL</b>	<b>\$8,350</b>	<b>\$8,778</b>

**Maintenance and Operations 0330**

Initiative: Transfers and reallocates one Technician position from 96% Highway Fund and 4% Federal Expenditures Fund in the Maintenance and Operations program to 45% Highway Fund, 50% Federal Expenditures Fund and 5% Other Special Revenue Funds in the Highway and Bridge Capital program.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS -	(1,000)	(1,000)
LEGISLATIVE COUNT		
Personal Services	(\$69,609)	(\$72,584)
	<hr/>	<hr/>
HIGHWAY FUND TOTAL	(\$69,609)	(\$72,584)

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$2,900)	(\$3,024)
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	(\$2,900)	(\$3,024)

**Maintenance and Operations 0330**

Initiative: Transfers and reallocates one Assistant Technician position from 45% Highway Fund, 50% Federal Expenditures Fund and 5% Other Special Revenue Funds in the Highway and Bridge Capital program to 96% Highway Fund and 4% Federal Expenditures Fund in the Maintenance and Operations program.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS -	1,000	1,000
LEGISLATIVE COUNT		
Personal Services	\$61,195	\$62,694
	<hr/>	<hr/>
HIGHWAY FUND TOTAL	\$61,195	\$62,694

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$2,550	\$2,611
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$2,550	\$2,611

**Maintenance and Operations 0330**

Initiative: Transfers and reallocates one Office Associate II position from 96% Highway Fund and 4% Federal Expenditures Fund in the Maintenance and Operations program to 100% Highway Fund in the Administration program.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS -	(1,000)	(1,000)
LEGISLATIVE COUNT		
Personal Services	(\$60,203)	(\$63,241)
	<hr/>	<hr/>
HIGHWAY FUND TOTAL	(\$60,203)	(\$63,241)

**Maintenance and Operations 0330**

Initiative: Transfers one Highway Laborer position from the Department of Transportation, Maintenance and Operations program, Highway Fund to the Department of Marine Resources, Bureau of Policy and Management program, Other Special Revenue Funds and reorganizes the position to a Resource Management Coordinator position.

<b>HIGHWAY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS -	(1,000)	(1,000)
LEGISLATIVE COUNT		
Personal Services	(\$54,207)	(\$56,918)
	<hr/>	<hr/>
HIGHWAY FUND TOTAL	(\$54,207)	(\$56,918)

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$2,509)	(\$2,635)
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	(\$2,509)	(\$2,635)

**Multimodal - Aviation 0294**

Initiative: BASELINE BUDGET

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,585,782	\$1,585,782
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$1,585,782	\$1,585,782

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS -	2,000	2,000
LEGISLATIVE COUNT		
Personal Services	\$208,877	\$211,135
All Other	\$957,000	\$957,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,165,877	\$1,168,135

**Multimodal - Aviation 0294**

Initiative: Provides funding for Capital Expenditures within the Federal Expenditures Fund and Other Special Revenue Funds in various programs.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Capital Expenditures	\$300,000	\$300,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$300,000</b>	<b>\$300,000</b>

**Multimodal - Freight Rail 0350**

Initiative: BASELINE BUDGET

HIGHWAY FUND	2017-18	2018-19
All Other	\$603,599	\$603,599
<b>HIGHWAY FUND TOTAL</b>	<b>\$603,599</b>	<b>\$603,599</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$100,000	\$100,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$100,000</b>	<b>\$100,000</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$226,168	\$230,016
All Other	\$1,467,904	\$1,467,904
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,694,072</b>	<b>\$1,697,920</b>

**Multimodal - Freight Rail 0350**

Initiative: Provides funding for Capital Expenditures within the Federal Expenditures Fund and Other Special Revenue Funds in various programs.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Capital Expenditures	\$500,000	\$500,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500,000</b>	<b>\$500,000</b>

**Multimodal - Freight Rail 0350**

Initiative: Provides funding for the approved reorganization of one Public Service Coordinator II position to a Public Service Manager II position.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$8,656	\$8,668
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$8,656</b>	<b>\$8,668</b>

**Multimodal - Island Ferry Service Z016**

Initiative: BASELINE BUDGET

HIGHWAY FUND	2017-18	2018-19
All Other	\$5,463,443	\$5,463,443
<b>HIGHWAY FUND TOTAL</b>	<b>\$5,463,443</b>	<b>\$5,463,443</b>

ISLAND FERRY SERVICES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	78,000	78,000
POSITIONS - FTE COUNT	11,532	11,532
Personal Services	\$6,586,089	\$6,709,062
All Other	\$4,007,500	\$4,007,500
<b>ISLAND FERRY SERVICES FUND TOTAL</b>	<b>\$10,593,589</b>	<b>\$10,716,562</b>

**Multimodal - Island Ferry Service Z016**

Initiative: Adjusts funding for technology costs based on the rate schedules provided by the Department of Administrative and Financial Services, Office of Information Technology.

HIGHWAY FUND	2017-18	2018-19
All Other	\$39,675	\$37,430
<b>HIGHWAY FUND TOTAL</b>	<b>\$39,675</b>	<b>\$37,430</b>

ISLAND FERRY SERVICES FUND	2017-18	2018-19
All Other	\$79,350	\$74,859
<b>ISLAND FERRY SERVICES FUND TOTAL</b>	<b>\$79,350</b>	<b>\$74,859</b>

**Multimodal - Island Ferry Service Z016**

Initiative: Provides funding for approved range changes for 2 Ferry Ordinary Seaman positions from range 6 to range 10, 19 Ferry Engineer positions from range 20 to range 21, 19 Ferry Captain positions from range 26 to range 27, and one Ferry Port Engineer position from range 25 to range 27 and transfers All Other to Personal Services to fund the position changes.

ISLAND FERRY SERVICES FUND	2017-18	2018-19
Personal Services	\$91,338	\$91,705
All Other	(\$91,338)	(\$91,705)
<b>ISLAND FERRY SERVICES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Multimodal - Island Ferry Service Z016**

Initiative: Reduces funding to adjust the state support to 50% of the operating cost of the Maine State Ferry Service in accordance with the Maine Revised Statutes, Title 23, section 4210-C.

HIGHWAY FUND	2017-18	2018-19
All Other	(\$166,649)	(\$105,162)
<b>HIGHWAY FUND TOTAL</b>	<b>(\$166,649)</b>	<b>(\$105,162)</b>

**Multimodal - Island Ferry Service Z016**

Initiative: Provides funding for the approved range change of 7 Customer Representative Associate I Ferry Supervisor positions from range 13 to range 17, changes the position title to Ferry Terminal Facility Supervisor and transfers All Other to Personal Services to fund the position changes.

ISLAND FERRY SERVICES FUND	2017-18	2018-19
Personal Services	\$24,706	\$24,159
All Other	(\$24,706)	(\$24,159)
<b>ISLAND FERRY SERVICES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Multimodal - Passenger Rail Z139**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$2,000,000	\$2,000,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,000,000</b>	<b>\$2,000,000</b>

**Multimodal - Passenger Rail Z139**

Initiative: Reduces state support for the Northern New England Passenger Rail Authority.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$1,000,000)	(\$1,000,000)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$1,000,000)</b>	<b>(\$1,000,000)</b>

**Multimodal - Ports and Marine 0323**

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$150,000	\$150,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$150,000</b>	<b>\$150,000</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$193,881	\$195,074
All Other	\$8,334	\$8,334
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$202,215</b>	<b>\$203,408</b>

**Multimodal - Ports and Marine 0323**

Initiative: Continues one Public Service Coordinator II position previously established by Financial Order 003535 F6 and continued in Financial Order 003866 F7 to support expansion, marketing and logistical planning efforts at the International Marine Terminal.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$111,916	\$116,574
All Other	\$1,119	\$1,166
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$113,035</b>	<b>\$117,740</b>

**Multimodal - Ports and Marine 0323**

Initiative: Provides funding for the approved reorganization of one Public Service Coordinator II position to a Public Service Manager II position.

	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
Personal Services	\$4,848	\$4,854
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$4,848</b>	<b>\$4,854</b>

**Multimodal - Transit 0443**

Initiative: BASELINE BUDGET

<b>FEDERAL EXPENDITURES FUND</b>	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$472,847	\$481,731
All Other	\$8,134,946	\$8,134,946
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$8,607,793</b>	<b>\$8,616,677</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$67,100	\$67,664
All Other	\$1,400,000	\$1,400,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,467,100</b>	<b>\$1,467,664</b>

**Multimodal - Transit 0443**

Initiative: Provides funding for Capital Expenditures within the Federal Expenditures Fund and Other Special Revenue Funds in various programs.

<b>FEDERAL EXPENDITURES FUND</b>	2017-18	2018-19
Capital Expenditures	\$3,800,000	\$3,800,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$3,800,000</b>	<b>\$3,800,000</b>

**Multimodal - Transit 0443**

Initiative: Provides funding for the approved reorganization of one Public Service Manager II from range 30 to range 32 and transfers All Other to Personal Services to fund the reorganization.

<b>FEDERAL EXPENDITURES FUND</b>	2017-18	2018-19
Personal Services	\$4,328	\$4,334

All Other	(\$4,328)	(\$4,334)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	2017-18	2018-19
Personal Services	\$4,328	\$4,335
All Other	(\$4,328)	(\$4,335)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Multimodal Transportation Fund Z017**

Initiative: BASELINE BUDGET

<b>FEDERAL EXPENDITURES FUND</b>	2017-18	2018-19
All Other	\$1,209,519	\$1,209,519
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,209,519</b>	<b>\$1,209,519</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	2017-18	2018-19
All Other	\$250,000	\$250,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$250,000</b>	<b>\$250,000</b>

**Multimodal Transportation Fund Z017**

Initiative: Provides funding for engineering services performed by department staff for projects financed through General Fund general obligation bond funds. Also adjusts Capital Expenditures to the anticipated revenue and expenditure level for the biennium.

<b>OTHER SPECIAL REVENUE FUNDS</b>	2017-18	2018-19
Personal Services	\$400,000	\$400,000
Capital Expenditures	\$1,234,194	\$1,240,859
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,634,194</b>	<b>\$1,640,859</b>

**Multimodal Transportation Fund Z017**

Initiative: Adjusts allocations to reflect revenue changes associated with sales tax changes in LD 390, Part E.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Capital Expenditures	\$0	\$1,500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$1,500

INDUSTRIAL DRIVE FACILITY FUND	\$500,000	\$500,000
ISLAND FERRY SERVICES FUND	\$10,672,939	\$10,791,421
DEPARTMENT TOTAL - ALL FUNDS	\$554,653,107	\$606,559,547

**Receivables 0344**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$100,000	\$100,000
All Other	\$912,121	\$912,121
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,012,121	\$1,012,121

**State Infrastructure Bank 0870**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$150,000	\$150,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$150,000	\$150,000

**Transportation Facilities Z010**

Initiative: BASELINE BUDGET

TRANSPORTATION FACILITIES FUND	2017-18	2018-19
All Other	\$2,200,000	\$2,200,000
TRANSPORTATION FACILITIES FUND TOTAL	\$2,200,000	\$2,200,000

**TRANSPORTATION, DEPARTMENT OF**

DEPARTMENT TOTALS	2017-18	2018-19
HIGHWAY FUND	\$259,231,767	\$257,091,084
FEDERAL EXPENDITURES FUND	\$205,898,957	\$209,443,064
OTHER SPECIAL REVENUE FUNDS	\$46,942,979	\$97,008,074
TRANSPORTATION FACILITIES FUND	\$2,200,000	\$2,200,000
FLEET SERVICES FUND - DOT	\$29,206,465	\$29,525,904

**PART B**

**Sec. B-1. Appropriations and allocations.**  
The following appropriations and allocations are made to provide funding for approved reclassifications and range changes.

**TRANSPORTATION, DEPARTMENT OF Administration 0339**

Initiative: RECLASSIFICATIONS

HIGHWAY FUND	2017-18	2018-19
Personal Services	\$9,840	\$9,857
All Other	(\$9,840)	(\$9,857)
HIGHWAY FUND TOTAL	\$0	\$0

**Highway and Bridge Capital 0406**

Initiative: RECLASSIFICATIONS

HIGHWAY FUND	2017-18	2018-19
Personal Services	\$4,744	\$4,748
All Other	(\$4,744)	(\$4,748)
HIGHWAY FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$5,272	\$5,278
All Other	(\$5,272)	(\$5,278)
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$528	\$528
All Other	(\$528)	(\$528)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

TRANSPORTATION,  
DEPARTMENT OF

DEPARTMENT TOTALS	2017-18	2018-19
HIGHWAY FUND	\$0	\$0
FEDERAL EXPENDITURES FUND	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
<hr/>		
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

**PART C**

**Sec. C-1. 29-A MRSA §1304, sub-§2, ¶H,** as amended by PL 2013, c. 381, Pt. B, §16, is further amended to read:

H. The fee for a motorcycle or moped learner's permit and the first road test is ~~\$10~~ \$35. The fee for a subsequent examination is ~~\$5~~ \$35.

**Sec. C-2. 29-A MRSA §1307, sub-§§1 to 3,** as amended by PL 2013, c. 381, Pt. B, §17, are further amended to read:

**1. Class A, Class B or Class C commercial driver's license.** The examination fee for a Class A, Class B or Class C commercial driver's license is ~~\$35~~ \$70, which includes the first road test. A reexamination is ~~\$15~~ \$70.

**2. Class C noncommercial license.** The examination fee for a Class C noncommercial license is ~~\$10~~ \$35, which includes the first road test. A reexamination is ~~\$5~~ \$35.

**3. Examination fee for endorsements.** The examination fee for a double or triple trailer, bus, tank vehicle, hazardous materials endorsement or the renewal of a hazardous materials endorsement is ~~\$10~~ \$20. A reexamination is ~~\$5~~ \$20.

**Sec. C-3. 29-A MRSA §1307, sub-§4,** as amended by PL 2015, c. 206, §6, is further amended to read:

**4. Cancellation of examination appointment.** If an examination requires an appointment and the applicant does not keep that appointment, the Secretary of State shall assess an additional ~~\$30~~ \$70 fee for a Class A, Class B or Class C commercial examination and ~~\$20~~ \$35 for a bus, school bus or Class C non-commercial examination at the time of reappointment for examination. If the applicant notifies the Department of the Secretary of State, Bureau of Motor Vehicles, Driver Examination Section of cancellation at least 48 hours prior to the examination, the Secretary of State shall waive the additional fee.

**Sec. C-4. 29-A MRSA §2303, sub-§5,** as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

**5. Fee.** A fee of ~~\$10~~ \$20 must accompany the initial application. The fee for a subsequent examination is ~~\$5~~ \$20.

**Sec. C-5. Allocation of increased fees.** Notwithstanding any other provision of law, for the 2018-2019 biennium, the increase in revenue from this Part must be allocated to the Highway and Bridge Capital program, Highway Fund account within the Department of Transportation.

**Sec. C-6. Effective date.** Those sections of this Part that amend the Maine Revised Statutes, Title 29-A, section 1304, subsection 2, paragraph H; section 1307, subsections 1 to 4; and section 2303, subsection 5 take effect January 1, 2018.

**PART D**

**Sec. D-1. Attrition savings.** Notwithstanding any other provision of law to the contrary, the attrition rate for the 2018-2019 biennium is increased from 1.6% to 5% for judicial branch and executive branch departments and agencies only. The attrition rate for subsequent biennia is 1.6%.

**Sec. D-2. Calculation and transfer.** Notwithstanding any other provision of law to the contrary, the State Budget Officer shall calculate the amount of savings in this Part that applies against each Highway Fund account for all departments and agencies from savings associated with attrition in fiscal year 2017-18 and fiscal year 2018-19 and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to appropriations in fiscal year 2017-18 and fiscal year 2018-19. 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, 2017.

**Sec. D-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 from an increase in the attrition rate from 1.6% to 5% for fiscal years 2017-18 and 2018-19.

HIGHWAY FUND	2017-18	2018-19
Personal Services	(\$2,164,199)	(\$2,192,083)
<hr/>		
HIGHWAY FUND TOTAL	(\$2,164,199)	(\$2,192,083)

**PART E**

**Sec. E-1. Programmed GARVEE bonding level for 2018-2019 biennium.** Notwithstanding any other provision of law to the contrary and pursuant to the Maine Revised Statutes, Title 23, chapter 19, subchapter 3-A, the Maine Municipal Bond Bank may issue from time to time up to \$50,000,000 of GARVEE bonds for highway and bridge needs statewide to be repaid solely from annual federal transportation appropriations for funding for qualified transportation projects.

**PART F**

**Sec. F-1. Transfer of Highway Fund unallocated balance; capital program needs; Department of Transportation.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law to the contrary, at the close of the fiscal years 2017-18 and 2018-19 the State Controller shall transfer amounts exceeding \$100,000 from the unallocated balance in the Highway Fund after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute and the fiscal year 2017-18 unallocated balance dedicated to the fiscal year 2018-19 budgets to the Department of Transportation Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs for capital or all other needs. The Commissioner of Transportation is authorized to allot these funds by financial order upon the recommendation of the State Budget Officer and the approval of the Governor. The transferred amounts are considered adjustments to allocations. Within 30 days of approval of the financial order, the Commissioner of Transportation shall provide to the members of the joint standing committee of the Legislature having jurisdiction over transportation matters a report detailing the financial status of the department's capital program.

**PART G**

**Sec. G-1. Transfer authorized.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law to the contrary, for the fiscal years ending June 30, 2018 and June 30, 2019 the Commissioner of Transportation is authorized to transfer, by financial order upon the recommendation of the State Budget Officer and approval of the Governor, identified Highway Fund Personal Services savings to the Department of Transportation Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs for capital or all other needs. The financial order must identify the specific savings after all adjustments that may be required by the State Controller to ensure that all financial commitments have been met in Personal Services after assuming all costs for that program including collective bargaining costs. The Commissioner of Transportation shall provide a report by September 15, 2018 and September 15, 2019 to the members of the

joint standing committee of the Legislature having jurisdiction over transportation matters detailing the financial adjustments to the Highway Fund.

**PART H**

**Sec. H-1. Transfer of funds; Highway Fund; TransCap.** Notwithstanding any other provision of law to the contrary, the State Controller shall transfer \$6,253,259 in fiscal year 2017-18 and \$6,328,638 in fiscal year 2018-19 from the Highway Fund unallocated surplus to the TransCap Trust Fund established in the Maine Revised Statutes, Title 30-A, section 6006-G.

**PART I**

**Sec. I-1. Transfers of nonbond funds; capital project expenditures; 5-year useful life.** Notwithstanding the Maine Revised Statutes, Title 23, section 1604, subsection 3 or any other provision of law to the contrary, transfers of nonbond funds from the TransCap Trust Fund established in Title 30-A, section 6006-G may be used for capital projects having an estimated useful life of 5 years or more.

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

Effective July 1, 2017, unless otherwise indicated.

**CHAPTER 284****H.P. 281 – L.D. 390**

**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, 2018 and June 30, 2019**

**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	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$24,025	\$24,061
All Other	\$772,957	\$772,957
<b>GENERAL FUND TOTAL</b>	<b>\$796,982</b>	<b>\$797,018</b>

RETIREE HEALTH INSURANCE FUND	2017-18	2018-19
All Other	\$48,400,235	\$48,400,235
<b>RETIREE HEALTH INSURANCE FUND TOTAL</b>	<b>\$48,400,235</b>	<b>\$48,400,235</b>

ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$986,463	\$1,002,370
All Other	\$895,354	\$895,354
<b>ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND TOTAL</b>	<b>\$1,881,817</b>	<b>\$1,897,724</b>

FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND	2017-18	2018-19

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$69,506	\$70,117
All Other	\$51,707	\$51,707
<b>FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND TOTAL</b>	<b>\$121,213</b>	<b>\$121,824</b>

**Accident - Sickness - Health Insurance 0455**

Initiative: Adjusts funding to align allocations with projected available resources.

RETIREE HEALTH INSURANCE FUND	2017-18	2018-19
All Other	\$34,000,000	\$34,000,000
<b>RETIREE HEALTH INSURANCE FUND TOTAL</b>	<b>\$34,000,000</b>	<b>\$34,000,000</b>

**ACCIDENT - SICKNESS - HEALTH INSURANCE 0455**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$24,025	\$24,061
All Other	\$772,957	\$772,957
<b>GENERAL FUND TOTAL</b>	<b>\$796,982</b>	<b>\$797,018</b>

RETIREE HEALTH INSURANCE FUND	2017-18	2018-19
All Other	\$82,400,235	\$82,400,235
<b>RETIREE HEALTH INSURANCE FUND TOTAL</b>	<b>\$82,400,235</b>	<b>\$82,400,235</b>

ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$986,463	\$1,002,370
All Other	\$895,354	\$895,354

ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND TOTAL	\$1,881,817	\$1,897,724
<b>FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$69,506	\$70,117
All Other	\$51,707	\$51,707
<b>FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND TOTAL</b>	<b>\$121,213</b>	<b>\$121,824</b>

**Administration - Human Resources 0038**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	18.000	18.000
Personal Services	\$1,873,289	\$1,901,185
All Other	\$362,601	\$362,601
<b>GENERAL FUND TOTAL</b>	<b>\$2,235,890</b>	<b>\$2,263,786</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$5,000	\$5,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$5,000</b>	<b>\$5,000</b>

**Administration - Human Resources 0038**

Initiative: Transfers one Office Associate II position from the Division of Purchases program to the Administration - Human Resources program within the same fund.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$61,380	\$64,544
<b>GENERAL FUND TOTAL</b>	<b>\$61,380</b>	<b>\$64,544</b>

**Administration - Human Resources 0038**

Initiative: Eliminates one vacant Plumber II position and one vacant Boiler Engineer position from the Building and Grounds Operations program, General Fund. This initiative also transfers one vacant Space Management Specialist position and one vacant High Voltage Electrician position from the Buildings and Grounds Operations program to the Administration - Human Resources program within the same fund and reorganizes the High Voltage Electrician position to a Public Service Manager II position and the Space Management Specialist position to a Public Service Manager III position.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$230,840	\$242,384
<b>GENERAL FUND TOTAL</b>	<b>\$230,840</b>	<b>\$242,384</b>

**Administration - Human Resources 0038**

Initiative: Transfers one Public Service Coordinator I position from the Public Improvements - Planning/Construction - Administration program to the Administration - Human Resources program within the same fund to realign department resources to areas of greatest need. The employee retains all rights as a classified employee, as well as all accrued fringe benefits, including but not limited to vacation and sick leave, health and life insurances and retirement benefits.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$90,129	\$94,779
<b>GENERAL FUND TOTAL</b>	<b>\$90,129</b>	<b>\$94,779</b>

**ADMINISTRATION - HUMAN RESOURCES 0038**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$2,255,638	\$2,302,892
All Other	\$362,601	\$362,601
<b>GENERAL FUND TOTAL</b>	<b>\$2,618,239</b>	<b>\$2,665,493</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>	All Other	\$19,190	\$19,190
All Other	\$5,000	\$5,000			
			<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$19,190</b>	<b>\$19,190</b>
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$5,000</b>	<b>\$5,000</b>			

**Alcoholic Beverages - General Operation 0015**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	13.500	13.500
Personal Services	\$911,414	\$931,402
All Other	\$683,002	\$683,002
<b>GENERAL FUND TOTAL</b>	<b>\$1,594,416</b>	<b>\$1,614,404</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$19,190	\$19,190
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$19,190</b>	<b>\$19,190</b>

<b>STATE ALCOHOLIC BEVERAGE FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$262,360	\$269,402
All Other	\$11,533,800	\$11,533,800
<b>STATE ALCOHOLIC BEVERAGE FUND TOTAL</b>	<b>\$11,796,160</b>	<b>\$11,803,202</b>

**ALCOHOLIC BEVERAGES - GENERAL OPERATION 0015**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	13.500	13.500
Personal Services	\$911,414	\$931,402
All Other	\$683,002	\$683,002
<b>GENERAL FUND TOTAL</b>	<b>\$1,594,416</b>	<b>\$1,614,404</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
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<b>STATE ALCOHOLIC BEVERAGE FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$262,360	\$269,402
All Other	\$11,533,800	\$11,533,800
<b>STATE ALCOHOLIC BEVERAGE FUND TOTAL</b>	<b>\$11,796,160</b>	<b>\$11,803,202</b>

**Budget - Bureau of the 0055**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,465,254	\$1,488,799
All Other	\$62,683	\$62,683
<b>GENERAL FUND TOTAL</b>	<b>\$1,527,937</b>	<b>\$1,551,482</b>

**BUDGET - BUREAU OF THE 0055 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,465,254	\$1,488,799
All Other	\$62,683	\$62,683
<b>GENERAL FUND TOTAL</b>	<b>\$1,527,937</b>	<b>\$1,551,482</b>

**Buildings and Grounds Operations 0080**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	99.000	99.000
Personal Services	\$5,907,965	\$6,042,961
All Other	\$6,546,050	\$6,546,050
<b>GENERAL FUND TOTAL</b>	<b>\$12,454,015</b>	<b>\$12,589,011</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$711,277	\$711,277
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$711,277</b>	<b>\$711,277</b>

REAL PROPERTY LEASE INTERNAL SERVICE FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$303,725	\$309,056
All Other	\$25,590,339	\$25,590,339
<b>REAL PROPERTY LEASE INTERNAL SERVICE FUND TOTAL</b>	<b>\$25,894,064</b>	<b>\$25,899,395</b>

**Buildings and Grounds Operations 0080**

Initiative: Provides funding for an increase in the recruitment and retention stipend for High Voltage Electrician positions and High Voltage Electrician Supervisor positions from 3% to 20%.

GENERAL FUND	2017-18	2018-19
Personal Services	\$44,545	\$44,900
<b>GENERAL FUND TOTAL</b>	<b>\$44,545</b>	<b>\$44,900</b>

**Buildings and Grounds Operations 0080**

Initiative: Provides funding for a 25% increase in electricity delivery costs.

GENERAL FUND	2017-18	2018-19
All Other	\$160,000	\$160,000
<b>GENERAL FUND TOTAL</b>	<b>\$160,000</b>	<b>\$160,000</b>

**Buildings and Grounds Operations 0080**

Initiative: Eliminates one vacant Plumber II position and one vacant Boiler Engineer position from the Building and Grounds Operations program, General Fund. This initiative also transfers one vacant Space Management Specialist position and one vacant High Voltage Electrician position from the Buildings and Grounds Operations program to the Administration - Human Resources program within the same fund and reorganizes the High Voltage Electrician position to a Public Service Manager II position and the Space Management Specialist position to a Public Service Manager III position.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(4.000)	(4.000)
Personal Services	(\$284,843)	(\$298,231)
<b>GENERAL FUND TOTAL</b>	<b>(\$284,843)</b>	<b>(\$298,231)</b>

**Buildings and Grounds Operations 0080**

Initiative: Provides funding for improvements and maintenance of physical security in state facilities.

GENERAL FUND	2017-18	2018-19
All Other	\$610,000	\$610,000
<b>GENERAL FUND TOTAL</b>	<b>\$610,000</b>	<b>\$610,000</b>

**BUILDINGS AND GROUNDS OPERATIONS 0080**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	95.000	95.000
Personal Services	\$5,667,667	\$5,789,630
All Other	\$7,316,050	\$7,316,050
<b>GENERAL FUND TOTAL</b>	<b>\$12,983,717</b>	<b>\$13,105,680</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$711,277	\$711,277
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$711,277</b>	<b>\$711,277</b>

REAL PROPERTY LEASE INTERNAL SERVICE FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$303,725	\$309,056
All Other	\$25,590,339	\$25,590,339
<b>REAL PROPERTY LEASE INTERNAL SERVICE FUND TOTAL</b>	<b>\$25,894,064</b>	<b>\$25,899,395</b>

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

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$310,587	\$310,587
<b>GENERAL FUND TOTAL</b>	<b>\$310,587</b>	<b>\$310,587</b>
OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$645,000	\$645,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$645,000</b>	<b>\$645,000</b>

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

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$310,587	\$310,587
<b>GENERAL FUND TOTAL</b>	<b>\$310,587</b>	<b>\$310,587</b>
OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$645,000	\$645,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$645,000</b>	<b>\$645,000</b>

**Bureau of Revenue Services Fund 0885**

Initiative: BASELINE BUDGET

BUREAU OF REVENUE SERVICES FUND	2017-18	2018-19
All Other	\$151,720	\$151,720
<b>BUREAU OF REVENUE SERVICES FUND TOTAL</b>	<b>\$151,720</b>	<b>\$151,720</b>

**BUREAU OF REVENUE SERVICES FUND 0885**

**PROGRAM SUMMARY**

BUREAU OF REVENUE SERVICES FUND	2017-18	2018-19
All Other	\$151,720	\$151,720
<b>BUREAU OF REVENUE SERVICES FUND TOTAL</b>	<b>\$151,720</b>	<b>\$151,720</b>

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

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$92,909	\$92,909
<b>GENERAL FUND TOTAL</b>	<b>\$92,909</b>	<b>\$92,909</b>
OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$948,359	\$948,359
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$948,359</b>	<b>\$948,359</b>

**CAPITAL CONSTRUCTION/REPAIRS/IMPROVEMENTS - ADMINISTRATION 0059**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$92,909	\$92,909
<b>GENERAL FUND TOTAL</b>	<b>\$92,909</b>	<b>\$92,909</b>
OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$948,359	\$948,359
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$948,359</b>	<b>\$948,359</b>

**Central Administrative Applications Z234**

Initiative: Transfers funding for the State's accounting, budgeting, payroll and other systems from the Information Services program to the new Central Administrative Applications program within the same fund.

GENERAL FUND	2017-18	2018-19
All Other	\$12,879,126	\$12,879,126
<b>GENERAL FUND TOTAL</b>	<b>\$12,879,126</b>	<b>\$12,879,126</b>

**Central Administrative Applications Z234**

Initiative: Provides one-time funding for the support and decommissioning of the State's current human resources system.

GENERAL FUND	2017-18	2018-19
All Other	\$704,000	\$0

GENERAL FUND TOTAL	\$704,000	\$0
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**Central Administrative Applications Z234**

Initiative: Provides funding for the incremental contractual increases in maintaining the State's finance and accounting system.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$1,220,167
GENERAL FUND TOTAL	\$0	\$1,220,167

**CENTRAL ADMINISTRATIVE APPLICATIONS Z234**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$13,583,126	\$14,099,293
GENERAL FUND TOTAL	\$13,583,126	\$14,099,293

**Central Fleet Management 0703**

Initiative: BASELINE BUDGET

CENTRAL MOTOR POOL	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	17.000	17.000
Personal Services	\$1,112,949	\$1,139,007
All Other	\$8,921,645	\$8,921,645
CENTRAL MOTOR POOL TOTAL	\$10,034,594	\$10,060,652

**Central Fleet Management 0703**

Initiative: Eliminates one vacant seasonal Motor Transportation Technician Assistant position.

CENTRAL MOTOR POOL	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$37,806)	(\$39,228)
CENTRAL MOTOR POOL TOTAL	(\$37,806)	(\$39,228)

**Central Fleet Management 0703**

Initiative: Reduces funding for fuel costs based on a revised cost per gallon estimate.

CENTRAL MOTOR POOL	2017-18	2018-19
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All Other	(\$1,045,341)	(\$855,677)
CENTRAL MOTOR POOL TOTAL	(\$1,045,341)	(\$855,677)

**CENTRAL FLEET MANAGEMENT 0703**

**PROGRAM SUMMARY**

CENTRAL MOTOR POOL	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$1,075,143	\$1,099,779
All Other	\$7,876,304	\$8,065,968
CENTRAL MOTOR POOL TOTAL	\$8,951,447	\$9,165,747

**Central Services - Purchases 0004**

Initiative: BASELINE BUDGET

POSTAL, PRINTING AND SUPPLY FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	35.500	35.500
Personal Services	\$2,320,224	\$2,382,335
All Other	\$1,542,220	\$1,542,220
POSTAL, PRINTING AND SUPPLY FUND TOTAL	\$3,862,444	\$3,924,555

**Central Services - Purchases 0004**

Initiative: Eliminates one vacant Inventory and Property Associate I position, one vacant Central Services Supervisor position and one vacant part-time Buyer II position.

POSTAL, PRINTING AND SUPPLY FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(2.500)	(2.500)
Personal Services	(\$143,483)	(\$150,336)
POSTAL, PRINTING AND SUPPLY FUND TOTAL	(\$143,483)	(\$150,336)

**Central Services - Purchases 0004**

Initiative: Transfers one Public Service Manager II position from the Division of Purchases, Postal, Printing and Supply Fund, to the Central Services - Purchases program, General Fund and transfers one Public Service Manager I position from the Central Services - Purchases program, General Fund, to the Divi-

sion of Purchases program, Postal, Printing and Supply Fund. Also eliminates one vacant Buyer II position in the Division of Purchases program, General Fund.

POSTAL, PRINTING AND SUPPLY FUND	2017-18	2018-19
Personal Services	\$5,319	\$1,023
<b>POSTAL, PRINTING AND SUPPLY FUND TOTAL</b>	<b>\$5,319</b>	<b>\$1,023</b>

**CENTRAL SERVICES - PURCHASES 0004  
PROGRAM SUMMARY**

POSTAL, PRINTING AND SUPPLY FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	33.000	33.000
Personal Services	\$2,182,060	\$2,233,022
All Other	\$1,542,220	\$1,542,220
<b>POSTAL, PRINTING AND SUPPLY FUND TOTAL</b>	<b>\$3,724,280</b>	<b>\$3,775,242</b>

**County Tax Reimbursement 0263**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$1,440,000	\$1,440,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,440,000</b>	<b>\$1,440,000</b>

**COUNTY TAX REIMBURSEMENT 0263  
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$1,440,000	\$1,440,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,440,000</b>	<b>\$1,440,000</b>

**Debt Service - Government Facilities Authority 0893**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$16,836,024	\$16,836,024

GENERAL FUND TOTAL	2017-18	2018-19
	\$16,836,024	\$16,836,024

**Debt Service - Government Facilities Authority 0893**

Initiative: Provides funding for annual principal and interest payments on funds borrowed in support of capital construction and renovation of state facilities.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$3,300,000
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$3,300,000</b>

**Debt Service - Government Facilities Authority 0893**

Initiative: Provides funding for debt service for the capital construction, repairs and improvements for the Department of Corrections pursuant to the Maine Revised Statutes, Title 4, section 1610-I.

GENERAL FUND	2017-18	2018-19
All Other	\$367,457	\$3,119,650
<b>GENERAL FUND TOTAL</b>	<b>\$367,457</b>	<b>\$3,119,650</b>

**DEBT SERVICE - GOVERNMENT FACILITIES AUTHORITY 0893**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$17,203,481	\$23,255,674
<b>GENERAL FUND TOTAL</b>	<b>\$17,203,481</b>	<b>\$23,255,674</b>

**Elderly Tax Deferral Program 0650**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$5,000	\$5,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$5,000</b>	<b>\$5,000</b>

**Elderly Tax Deferral Program 0650**

Initiative: Adjusts allocation for the Elderly Tax Deferral Program.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$4,500)	(\$4,500)

OTHER SPECIAL	(\$4,500)	(\$4,500)
REVENUE FUNDS TOTAL		

**ELDERLY TAX DEFERRAL PROGRAM 0650  
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

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

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$30,000	\$30,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$30,000	\$30,000

FINANCIAL AND PERSONNEL SERVICES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	253.000	253.000
Personal Services	\$20,338,236	\$20,846,291
All Other	\$1,577,370	\$1,577,370
FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	\$21,915,606	\$22,423,661

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

Initiative: Transfers and reallocates the cost of 18 Accounting Assistant Technician positions and 5 Clerk IV positions from the Department of Health and Human Services, Office of the Commissioner District Operations program, 64% General Fund and 36% Other Special Revenue Funds, to the Department of Administrative and Financial Services, Division of Financial and Personnel Services program, 100% Financial and Personnel Services Fund, and increases the hours of one Accounting Assistant Technician position from 52 hours to 80 hours biweekly. Also increases associated All Other expenditures and increases Service Center billing to fund the positions. Employees will retain all rights as classified employees, as well as all accrued fringe benefits, including but not limited to

vacation and sick leave, health and life insurances and retirement benefits.

FINANCIAL AND PERSONNEL SERVICES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	23.000	23.000
Personal Services	\$1,467,090	\$1,517,119
All Other	\$108,990	\$108,990
FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	\$1,576,080	\$1,626,109

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

Initiative: Transfers and reallocates one Clerk IV position from 50% General Fund and 50% Federal Expenditures Fund in the Office of MaineCare Services program in the Department of Health and Human Services to 100% Financial and Personnel Services Fund in the Division of Financial and Personnel Services program in the Department of Administrative and Financial Services. This initiative also increases funding for All Other expenditures and increases Service Center billing to fund the position.

FINANCIAL AND PERSONNEL SERVICES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$74,469	\$77,721
All Other	\$4,740	\$4,740
FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	\$79,209	\$82,461

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

Initiative: Transfers one Public Service Manager III position, one Public Service Manager II position, one Public Service Coordinator II position, one Public Service Coordinator I position, one Management Analyst II position and 3 Office Specialist I positions and associated All Other funding from the Information Services program, Office of Information Services Fund to the Division of Financial and Personnel Services program, Financial and Personnel Services Fund.

FINANCIAL AND PERSONNEL SERVICES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	8.000	8.000

Personal Services	\$767,841	\$788,611
All Other	\$30,700	\$30,700
	<hr/>	<hr/>
FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	\$798,541	\$819,311

**FINANCIAL AND PERSONNEL SERVICES - DIVISION OF 0713**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$30,000	\$30,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$30,000	\$30,000

<b>FINANCIAL AND PERSONNEL SERVICES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	285,000	285,000
Personal Services	\$22,647,636	\$23,229,742
All Other	\$1,721,800	\$1,721,800
	<hr/>	<hr/>
FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	\$24,369,436	\$24,951,542

**Homestead Property Tax Exemption Reimbursement 0886**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$63,884,000	\$72,359,000
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$63,884,000	\$72,359,000

**Homestead Property Tax Exemption Reimbursement 0886**

Initiative: Reduces funding to reflect a homestead property tax exemption of \$15,000 and the state reimbursement at 50%.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$20,950,000)	(\$28,600,000)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$20,950,000)	(\$28,600,000)

**HOMESTEAD PROPERTY TAX EXEMPTION REIMBURSEMENT 0886**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$42,934,000	\$43,759,000
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$42,934,000	\$43,759,000

**Information Services 0155**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$12,879,126	\$12,879,126
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$12,879,126	\$12,879,126

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

<b>OFFICE OF INFORMATION SERVICES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	499,500	499,500
Personal Services	\$50,100,464	\$51,254,774
All Other	\$7,566,140	\$7,566,140
	<hr/>	<hr/>
OFFICE OF INFORMATION SERVICES FUND TOTAL	\$57,666,604	\$58,820,914

**Information Services 0155**

Initiative: Transfers one Public Service Manager I position from the Department of Administrative and Financial Services, Information Services program, Office of Information Services Fund to the Department of Professional and Financial Regulation, Administrative Services - Professional and Financial Regulation program, Other Special Revenue Funds. The employee retains all rights as a classified em-

ployee as well as all accrued fringe benefits, including but not limited to vacation and sick leave, health and life insurances and retirement benefits.

OFFICE OF INFORMATION SERVICES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$111,251)	(\$112,283)
<b>OFFICE OF INFORMATION SERVICES FUND TOTAL</b>	<b>(\$111,251)</b>	<b>(\$112,283)</b>

**Information Services 0155**

Initiative: Transfers funding for the State's accounting, budgeting, payroll and other systems from the Information Services program to the new Central Administrative Applications program within the same fund.

GENERAL FUND	2017-18	2018-19
All Other	(\$12,879,126)	(\$12,879,126)
<b>GENERAL FUND TOTAL</b>	<b>(\$12,879,126)</b>	<b>(\$12,879,126)</b>

**Information Services 0155**

Initiative: Eliminates one vacant Computer Operator position, 3 vacant Senior Programmer Analyst positions, 3 vacant OIT Business Analyst positions, 2 vacant OIT Project Manager positions, 2 vacant Public Service Coordinator I positions, one vacant System Analyst position, one vacant Public Service Coordinator II position and one vacant Programmer Analyst position.

OFFICE OF INFORMATION SERVICES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(14,000)	(14,000)
Personal Services	(\$1,338,836)	(\$1,405,533)
<b>OFFICE OF INFORMATION SERVICES FUND TOTAL</b>	<b>(\$1,338,836)</b>	<b>(\$1,405,533)</b>

**Information Services 0155**

Initiative: Transfers one Public Service Manager III position, one Public Service Manager II position, one Public Service Coordinator II position, one Public Service Coordinator I position, one Management Analyst II position and 3 Office Specialist I positions and associated All Other funding from the Information Services program, Office of Information Services

Fund to the Division of Financial and Personnel Services program, Financial and Personnel Services Fund.

OFFICE OF INFORMATION SERVICES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(8,000)	(8,000)
Personal Services	(\$767,841)	(\$788,611)
All Other	(\$30,700)	(\$30,700)
<b>OFFICE OF INFORMATION SERVICES FUND TOTAL</b>	<b>(\$798,541)</b>	<b>(\$819,311)</b>

**Information Services 0155**

Initiative: Eliminates one vacant Public Service Manager III position.

OFFICE OF INFORMATION SERVICES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$145,969)	(\$146,936)
<b>OFFICE OF INFORMATION SERVICES FUND TOTAL</b>	<b>(\$145,969)</b>	<b>(\$146,936)</b>

**Information Services 0155**

Initiative: Transfers all positions and All Other funding from the Federal Expenditures Fund, Other Special Revenue Funds and the Office of Information Services Fund in the Department of Administrative and Financial Services, Information Services program to the Federal Expenditures Fund, Other Special Revenue Funds and the Office of Information Services Fund in the new Department of Technology Services, Technology Services program. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$500)	(\$500)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$500)</b>	<b>(\$500)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$500)	(\$500)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$500)</b>	<b>(\$500)</b>

<b>OFFICE OF INFORMATION SERVICES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(475,500)	(475,500)
Personal Services	(\$47,736,567)	(\$48,801,411)
All Other	(\$7,535,440)	(\$7,535,440)
<b>OFFICE OF INFORMATION SERVICES FUND TOTAL</b>	<b>(\$55,272,007)</b>	<b>(\$56,336,851)</b>

**INFORMATION SERVICES 0155**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

<b>OFFICE OF INFORMATION SERVICES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>OFFICE OF INFORMATION SERVICES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Leased Space Reserve Fund Program Z145**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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**LEASED SPACE RESERVE FUND PROGRAM Z145**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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**Lottery Operations 0023**

Initiative: BASELINE BUDGET

<b>STATE LOTTERY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$1,578,122	\$1,601,458
All Other	\$2,319,536	\$2,319,536

<b>STATE LOTTERY FUND TOTAL</b>	<b>\$3,897,658</b>	<b>\$3,920,994</b>
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**Lottery Operations 0023**

Initiative: Provides funding for anticipated increases in marketing and operational costs in the Lottery Operations program.

<b>STATE LOTTERY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$384,214	\$384,627

<b>STATE LOTTERY FUND TOTAL</b>	<b>\$384,214</b>	<b>\$384,627</b>
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**LOTTERY OPERATIONS 0023**

**PROGRAM SUMMARY**

<b>STATE LOTTERY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$1,578,122	\$1,601,458
All Other	\$2,703,750	\$2,704,163

<b>STATE LOTTERY FUND TOTAL</b>	<b>\$4,281,872</b>	<b>\$4,305,621</b>
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**Maine Board of Tax Appeals Z146**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$374,111	\$382,721
All Other	\$67,313	\$67,313
<b>GENERAL FUND TOTAL</b>	<b>\$441,424</b>	<b>\$450,034</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$45,000	\$45,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$45,000</b>	<b>\$45,000</b>

**Maine Board of Tax Appeals Z146**

Initiative: Provides funding for the approved reorganization of one Office Associate II position to an Office Specialist I position and transfers All Other to Personal Services to fund the reorganization.

GENERAL FUND	2017-18	2018-19
Personal Services	\$4,358	\$4,365
All Other	(\$4,358)	(\$4,365)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Maine Board of Tax Appeals Z146**

Initiative: Eliminates one Staff Attorney position beginning on October 1, 2017.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$52,259)	(\$78,229)
<b>GENERAL FUND TOTAL</b>	<b>(\$52,259)</b>	<b>(\$78,229)</b>

**MAINE BOARD OF TAX APPEALS Z146**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$326,210	\$308,857
All Other	\$62,955	\$62,948
<b>GENERAL FUND TOTAL</b>	<b>\$389,165</b>	<b>\$371,805</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$45,000	\$45,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$45,000</b>	<b>\$45,000</b>

**Maine Developmental Disabilities Council Z185**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$160,155	\$160,155
<b>GENERAL FUND TOTAL</b>	<b>\$160,155</b>	<b>\$160,155</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$480,465	\$480,465
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$480,465</b>	<b>\$480,465</b>

**MAINE DEVELOPMENTAL DISABILITIES COUNCIL Z185**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$160,155	\$160,155
<b>GENERAL FUND TOTAL</b>	<b>\$160,155</b>	<b>\$160,155</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$480,465	\$480,465
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$480,465</b>	<b>\$480,465</b>

**Mandate BETE - Reimburse Municipalities Z065**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$19,097	\$19,097
<b>GENERAL FUND TOTAL</b>	<b>\$19,097</b>	<b>\$19,097</b>

**MANDATE BETE - REIMBURSE MUNICIPALITIES Z065**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$19,097	\$19,097
<b>GENERAL FUND TOTAL</b>	<b>\$19,097</b>	<b>\$19,097</b>

Personal Services	\$227,335	\$239,045
All Other	\$79,100	\$79,100
<b>GENERAL FUND TOTAL</b>	<b>\$306,435</b>	<b>\$318,145</b>

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

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$792,635	\$807,820
All Other	\$44,088	\$44,088
<b>GENERAL FUND TOTAL</b>	<b>\$836,723</b>	<b>\$851,908</b>

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

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$1,041,476	\$1,068,403
All Other	\$123,188	\$123,188
<b>GENERAL FUND TOTAL</b>	<b>\$1,164,664</b>	<b>\$1,191,591</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$5,000	\$5,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$5,000</b>	<b>\$5,000</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$5,000	\$5,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$5,000</b>	<b>\$5,000</b>

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

Initiative: Provides funding for the approved reorganization of one Public Service Coordinator I position to a Public Service Coordinator II position.

GENERAL FUND	2017-18	2018-19
Personal Services	\$21,506	\$21,538
<b>GENERAL FUND TOTAL</b>	<b>\$21,506</b>	<b>\$21,538</b>

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

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$1,192,256	\$1,226,313
All Other	\$127,977	\$127,977
<b>GENERAL FUND TOTAL</b>	<b>\$1,320,233</b>	<b>\$1,354,290</b>

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

Initiative: Transfers one Public Service Executive II position and one Economist position and associated All Other from the Executive Department, Office of Policy and Management program to the Department of Administrative and Financial Services, Office of the Commissioner - Administrative and Financial Services program within the same fund. Employees retain all rights as classified employees, as well as all accrued fringe benefits, including but not limited to vacation and sick leave, health and life insurances and retirement benefits.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$31,000	\$31,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$31,000</b>	<b>\$31,000</b>

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

Initiative: Provides funding for repairs to state facilities.

GENERAL FUND	2017-18	2018-19
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All Other	\$3,000,000	\$3,000,000
<b>GENERAL FUND TOTAL</b>	<b>\$3,000,000</b>	<b>\$3,000,000</b>

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

Initiative: Transfers one Public Service Coordinator I position from the Public Improvements - Planning/Construction - Administration program to the Administration - Human Resources program within the same fund to realign department resources to areas of greatest need. The employee retains all rights as a classified employee, as well as all accrued fringe benefits, including but not limited to vacation and sick leave, health and life insurances and retirement benefits.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$90,129)	(\$94,779)
<b>GENERAL FUND TOTAL</b>	<b>(\$90,129)</b>	<b>(\$94,779)</b>

**PUBLIC IMPROVEMENTS - PLANNING/CONSTRUCTION - ADMINISTRATION 0057**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$1,102,127	\$1,131,534
All Other	\$3,127,977	\$3,127,977
<b>GENERAL FUND TOTAL</b>	<b>\$4,230,104</b>	<b>\$4,259,511</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$31,000	\$31,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$31,000</b>	<b>\$31,000</b>

**Purchases - Division of 0007**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	7.500	7.500
Personal Services	\$661,470	\$674,400
All Other	\$381,592	\$381,592

<b>GENERAL FUND TOTAL</b>	<b>\$1,043,062</b>	<b>\$1,055,992</b>
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**OTHER SPECIAL REVENUE FUNDS**

	2017-18	2018-19
All Other	\$4,000	\$4,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$4,000</b>	<b>\$4,000</b>

**Purchases - Division of 0007**

Initiative: Transfers one Public Service Manager II position from the Division of Purchases, Postal, Printing and Supply Fund, to the Central Services - Purchases program, General Fund and transfers one Public Service Manager I position from the Central Services - Purchases program, General Fund, to the Division of Purchases program, Postal, Printing and Supply Fund. Also eliminates one vacant Buyer II position in the Division of Purchases program, General Fund.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$72,172)	(\$70,909)
<b>GENERAL FUND TOTAL</b>	<b>(\$72,172)</b>	<b>(\$70,909)</b>

**Purchases - Division of 0007**

Initiative: Reorganizes 2 Procurement Manager positions to Procurement Support Manager positions.

GENERAL FUND	2017-18	2018-19
Personal Services	\$7,586	\$15,136
<b>GENERAL FUND TOTAL</b>	<b>\$7,586</b>	<b>\$15,136</b>

**Purchases - Division of 0007**

Initiative: Transfers one Office Associate II position from the Division of Purchases program to the Administration - Human Resources program within the same fund.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$61,380)	(\$64,544)
<b>GENERAL FUND TOTAL</b>	<b>(\$61,380)</b>	<b>(\$64,544)</b>

**PURCHASES - DIVISION OF 0007**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	5,500	5,500
Personal Services	\$535,504	\$554,083
All Other	\$381,592	\$381,592
<b>GENERAL FUND TOTAL</b>	<b>\$917,096</b>	<b>\$935,675</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$4,000	\$4,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$4,000</b>	<b>\$4,000</b>

**Revenue Services, Bureau of 0002**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	283,500	283,500
Personal Services	\$22,892,046	\$23,236,297
All Other	\$14,417,501	\$14,417,501
<b>GENERAL FUND TOTAL</b>	<b>\$37,309,547</b>	<b>\$37,653,798</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$5,000	\$5,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$5,000</b>	<b>\$5,000</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$11,403,348	\$11,403,348
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$11,403,348</b>	<b>\$11,403,348</b>

**Revenue Services, Bureau of 0002**

Initiative: Provides funding for projected increases in cybersecurity costs.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$700,000
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$700,000</b>

**Revenue Services, Bureau of 0002**

Initiative: Provides funding for projected increases in costs relating to the Maine Internet Return Filing System.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500,000	\$500,000
<b>GENERAL FUND TOTAL</b>	<b>\$500,000</b>	<b>\$500,000</b>

**Revenue Services, Bureau of 0002**

Initiative: Provides funding for the purchase of additional databases for the architectural configuration of SQL servers that support the Maine Revenue Services tax return image processing system.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$100,000	\$100,000
<b>GENERAL FUND TOTAL</b>	<b>\$100,000</b>	<b>\$100,000</b>

**Revenue Services, Bureau of 0002**

Initiative: Provides funding for increased storage costs for the Maine integrated tax system due to planned growth.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$386,850	\$386,850
<b>GENERAL FUND TOTAL</b>	<b>\$386,850</b>	<b>\$386,850</b>

**Revenue Services, Bureau of 0002**

Initiative: Reduces funding on a one-time basis for the Office of Information Technology costs related to the web portal project due to anticipated partial implementation.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	(\$666,750)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$666,750)</b>

**Revenue Services, Bureau of 0002**

Initiative: Establishes one Tax Examiner position beginning July 1, 2017 and 2 Senior Revenue Agent positions beginning July 1, 2018 and provides funding for associated All Other costs to administer the tax associated with the Marijuana Legalization Act.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1,000	3,000
Personal Services	\$75,246	\$263,807

All Other	\$4,447	\$20,117
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$79,693	\$283,924

**Revenue Services, Bureau of 0002**

Initiative: Provides funding for one-time administrative costs to administer the tax associated with the Marijuana Legalization Act.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$44,000	\$0
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$44,000	\$0

**Revenue Services, Bureau of 0002**

Initiative: Provides funding for additional taxpayer training and outreach focused on changes in municipal assessments and on marijuana retailers.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$60,000	\$60,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$60,000	\$60,000

**Revenue Services, Bureau of 0002**

Initiative: Provides funding to reclassify 3 Property Appraiser positions to Senior Property Appraiser positions.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$22,813	\$27,938
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$22,813	\$27,938

**Revenue Services, Bureau of 0002**

Initiative: Provides funding for the approved reclassifications of 2 Management Analyst II positions to Business Systems Administrator positions, one Business Systems Administrator position to a Business Systems Manager position, one Planning and Research Associate II position to a Business Systems Quality Assurance Manager position, one Senior Tax Examiner position to a Taxation Section Manager position and one Tax Examiner position to a Management Analyst I position.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$46,451	\$56,682
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$46,451	\$56,682

**REVENUE SERVICES, BUREAU OF 0002**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	284.500	286.500
Personal Services	\$23,036,556	\$23,584,724
All Other	\$15,452,798	\$15,457,718
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$38,489,354	\$39,042,442

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$5,000	\$5,000
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$5,000	\$5,000

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$11,463,348	\$11,463,348
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,463,348	\$11,463,348

**Risk Management - Claims 0008**

Initiative: BASELINE BUDGET

<b>RISK MANAGEMENT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$428,929	\$441,155
All Other	\$3,534,326	\$3,534,326
	<hr/>	<hr/>
RISK MANAGEMENT FUND TOTAL	\$3,963,255	\$3,975,481

<b>STATE-ADMINISTERED FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$2,042,515	\$2,042,515
	<hr/>	<hr/>
STATE-ADMINISTERED FUND TOTAL	\$2,042,515	\$2,042,515

**Risk Management - Claims 0008**

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

RISK MANAGEMENT FUND	2017-18	2018-19
Personal Services	\$6,273	\$6,584
All Other	(\$6,273)	(\$6,584)
<b>RISK MANAGEMENT FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**RISK MANAGEMENT - CLAIMS 0008 PROGRAM SUMMARY**

RISK MANAGEMENT FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$435,202	\$447,739
All Other	\$3,528,053	\$3,527,742
<b>RISK MANAGEMENT FUND TOTAL</b>	<b>\$3,963,255</b>	<b>\$3,975,481</b>

STATE-ADMINISTERED FUND	2017-18	2018-19
All Other	\$2,042,515	\$2,042,515
<b>STATE-ADMINISTERED FUND TOTAL</b>	<b>\$2,042,515</b>	<b>\$2,042,515</b>

**Snow Grooming Property Tax Exemption Reimbursement Z024**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$15,269	\$15,269
<b>GENERAL FUND TOTAL</b>	<b>\$15,269</b>	<b>\$15,269</b>

**Snow Grooming Property Tax Exemption Reimbursement Z024**

Initiative: Provides funding for projected increases in municipal reimbursements in the Snow Grooming Property Tax Exemption Reimbursement program.

GENERAL FUND	2017-18	2018-19
All Other	\$14,731	\$14,731
<b>GENERAL FUND TOTAL</b>	<b>\$14,731</b>	<b>\$14,731</b>

**SNOW GROOMING PROPERTY TAX EXEMPTION REIMBURSEMENT Z024 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$30,000	\$30,000
<b>GENERAL FUND TOTAL</b>	<b>\$30,000</b>	<b>\$30,000</b>

**Solid Waste Management Fund 0659**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$816,851	\$816,851
<b>GENERAL FUND TOTAL</b>	<b>\$816,851</b>	<b>\$816,851</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$172,500	\$172,500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$172,500</b>	<b>\$172,500</b>

**SOLID WASTE MANAGEMENT FUND 0659 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$816,851	\$816,851
<b>GENERAL FUND TOTAL</b>	<b>\$816,851</b>	<b>\$816,851</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$172,500	\$172,500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$172,500</b>	<b>\$172,500</b>

**State Controller - Office of the 0056**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	28.000	28.000
Personal Services	\$2,818,138	\$2,863,719
All Other	\$164,581	\$164,581
<b>GENERAL FUND TOTAL</b>	<b>\$2,982,719</b>	<b>\$3,028,300</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$1,000	\$1,000

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

**State Controller - Office of the 0056**

Initiative: Provides funding for the Office of the State Controller to deliver an annual training program.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$10,000	\$10,000

OTHER SPECIAL	\$10,000	\$10,000
REVENUE FUNDS TOTAL		

**STATE CONTROLLER - OFFICE OF THE 0056 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	28.000	28.000
Personal Services	\$2,818,138	\$2,863,719
All Other	\$164,581	\$164,581

GENERAL FUND TOTAL	\$2,982,719	\$3,028,300
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$11,000	\$11,000

OTHER SPECIAL	\$11,000	\$11,000
REVENUE FUNDS TOTAL		

**Statewide Radio Network System 0112**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$6,699,151	\$6,699,151

GENERAL FUND TOTAL	\$6,699,151	\$6,699,151
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**Statewide Radio Network System 0112**

Initiative: Transfers All Other funding from the Department of Administrative and Financial Services, Statewide Radio Network System program to the Department of Technology Services, Statewide Radio Network System program.

GENERAL FUND	2017-18	2018-19
All Other	(\$6,699,151)	(\$6,699,151)

GENERAL FUND TOTAL	(\$6,699,151)	(\$6,699,151)
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**STATEWIDE RADIO NETWORK SYSTEM 0112 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$0

GENERAL FUND TOTAL	\$0	\$0
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**Trade Adjustment Assistance Health Insurance Z001**

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$8,385	\$8,385

FEDERAL EXPENDITURES FUND TOTAL	\$8,385	\$8,385
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$75,000	\$75,000

OTHER SPECIAL	\$75,000	\$75,000
REVENUE FUNDS TOTAL		

**TRADE ADJUSTMENT ASSISTANCE HEALTH INSURANCE Z001**

**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$8,385	\$8,385

FEDERAL EXPENDITURES FUND TOTAL	\$8,385	\$8,385
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$75,000	\$75,000

OTHER SPECIAL	\$75,000	\$75,000
REVENUE FUNDS TOTAL		

**Tree Growth Tax Reimbursement 0261**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
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All Other	\$7,600,000	\$7,600,000
<b>GENERAL FUND TOTAL</b>	<b>\$7,600,000</b>	<b>\$7,600,000</b>

**TREE GROWTH TAX REIMBURSEMENT 0261 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$7,600,000	\$7,600,000
<b>GENERAL FUND TOTAL</b>	<b>\$7,600,000</b>	<b>\$7,600,000</b>

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

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$17,235,000	\$17,235,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$17,235,000</b>	<b>\$17,235,000</b>

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

Initiative: Adjusts funding to align allocations with projected available resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$2,856,788	\$3,356,788
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,856,788</b>	<b>\$3,356,788</b>

**UNORGANIZED TERRITORY EDUCATION AND SERVICES FUND - FINANCE 0573**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$20,091,788	\$20,591,788
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$20,091,788</b>	<b>\$20,591,788</b>

**Veterans' Organization Tax Reimbursement Z062**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$29,106	\$29,106

<b>GENERAL FUND TOTAL</b>	<b>\$29,106</b>	<b>\$29,106</b>
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**VETERANS' ORGANIZATION TAX REIMBURSEMENT Z062**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$29,106	\$29,106
<b>GENERAL FUND TOTAL</b>	<b>\$29,106</b>	<b>\$29,106</b>

**Veterans Tax Reimbursement 0407**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$1,228,330	\$1,228,330
<b>GENERAL FUND TOTAL</b>	<b>\$1,228,330</b>	<b>\$1,228,330</b>

**VETERANS TAX REIMBURSEMENT 0407**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$1,228,330	\$1,228,330
<b>GENERAL FUND TOTAL</b>	<b>\$1,228,330</b>	<b>\$1,228,330</b>

**Waste Facility Tax Reimbursement 0907**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$12,188	\$12,188
<b>GENERAL FUND TOTAL</b>	<b>\$12,188</b>	<b>\$12,188</b>

**WASTE FACILITY TAX REIMBURSEMENT 0907**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$12,188	\$12,188
<b>GENERAL FUND TOTAL</b>	<b>\$12,188</b>	<b>\$12,188</b>

**Workers' Compensation Management Fund Program 0802**

Initiative: BASELINE BUDGET

<b>WORKERS' COMPENSATION MANAGEMENT FUND</b>		
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,640,056	\$1,660,528
All Other	\$18,155,846	\$18,155,846
	<hr/>	<hr/>
WORKERS' COMPENSATION MANAGEMENT FUND TOTAL	\$19,795,902	\$19,816,374

**WORKERS' COMPENSATION MANAGEMENT FUND PROGRAM 0802 PROGRAM SUMMARY**

<b>WORKERS' COMPENSATION MANAGEMENT FUND</b>		
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,640,056	\$1,660,528
All Other	\$18,155,846	\$18,155,846
	<hr/>	<hr/>
WORKERS' COMPENSATION MANAGEMENT FUND TOTAL	\$19,795,902	\$19,816,374

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF DEPARTMENT TOTALS**

<b>GENERAL FUND</b>	\$151,714,223	\$159,976,591
<b>FEDERAL EXPENDITURES FUND</b>	\$493,850	\$493,850
<b>OTHER SPECIAL REVENUE FUNDS</b>	\$35,698,462	\$36,198,462
<b>FINANCIAL AND PERSONNEL SERVICES FUND</b>	\$24,369,436	\$24,951,542
<b>POSTAL, PRINTING AND SUPPLY FUND</b>	\$3,724,280	\$3,775,242
<b>OFFICE OF INFORMATION SERVICES FUND</b>	\$0	\$0
<b>RISK MANAGEMENT FUND</b>	\$3,963,255	\$3,975,481

<b>WORKERS' COMPENSATION MANAGEMENT FUND</b>	\$19,795,902	\$19,816,374
<b>CENTRAL MOTOR POOL</b>	\$8,951,447	\$9,165,747
<b>REAL PROPERTY LEASE INTERNAL SERVICE FUND</b>	\$25,894,064	\$25,899,395
<b>BUREAU OF REVENUE SERVICES FUND</b>	\$151,720	\$151,720
<b>RETIREE HEALTH INSURANCE FUND</b>	\$82,400,235	\$82,400,235
<b>ACCIDENT, SICKNESS AND HEALTH INSURANCE INTERNAL SERVICE FUND</b>	\$1,881,817	\$1,897,724
<b>STATE ALCOHOLIC BEVERAGE FUND</b>	\$11,796,160	\$11,803,202
<b>STATE-ADMINISTERED FUND</b>	\$2,042,515	\$2,042,515
<b>STATE LOTTERY FUND</b>	\$4,281,872	\$4,305,621
<b>FIREFIGHTERS AND LAW ENFORCEMENT OFFICERS HEALTH INSURANCE PROGRAM FUND</b>	\$121,213	\$121,824

<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<hr/>	<hr/>
	\$377,280,451	\$386,975,525

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

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF Animal Welfare Fund 0946**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>		
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
POSITIONS - FTE COUNT	0.238	0.238
Personal Services	\$855,363	\$878,598
All Other	\$770,239	\$770,239
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,625,602	\$1,648,837

**Animal Welfare Fund 0946**

Initiative: Eliminates one vacant part-time State Humane Agent position.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - FTE COUNT	(0.238)	(0.238)
Personal Services	(\$13,466)	(\$14,027)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$13,466)	(\$14,027)

**ANIMAL WELFARE FUND 0946**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
POSITIONS - FTE COUNT	0.000	0.000
Personal Services	\$841,897	\$864,571
All Other	\$770,239	\$770,239
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,612,136	\$1,634,810

**Beverage Container Enforcement Fund 0971**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$224,139	\$231,828
All Other	\$109,518	\$109,518
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$333,657	\$341,346

**Beverage Container Enforcement Fund 0971**

Initiative: Transfers one Office Specialist I position and 2 Consumer Protection Inspector positions and related All Other from the Beverage Container Enforcement Fund program, Other Special Revenue Funds to the Division of Quality Assurance and Regulation program, Federal Expenditures Fund and increases All Other funding in the Division of Quality Assurance and Regulation program, Federal Expenditures Fund for the federal FDA Food Safety Modernization Act program.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$224,139)	(\$231,828)
All Other	(\$109,518)	(\$109,518)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$333,657)	(\$341,346)

**BEVERAGE CONTAINER ENFORCEMENT FUND 0971**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

**Boating Facilities Fund Z226**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
POSITIONS - FTE COUNT	1.577	1.577
Personal Services	\$858,811	\$856,637
All Other	\$603,192	\$603,192
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,462,003	\$1,459,829

**Boating Facilities Fund Z226**

Initiative: Continues 2 limited-period seasonal Navigational Aide Assistant positions and provides funding to change these positions from limited-period to permanent seasonal positions. These positions were established in Public Law 2009, chapter 213 and have been extended each biennium since.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - FTE COUNT	1.000	1.000
Personal Services	\$30,888	\$58,626

All Other	\$1,168	\$2,216
OTHER SPECIAL	\$32,056	\$60,842
REVENUE FUNDS TOTAL		

**BOATING FACILITIES FUND Z226  
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
POSITIONS - FTE COUNT	2.577	2.577
Personal Services	\$889,699	\$915,263
All Other	\$604,360	\$605,408
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,494,059	\$1,520,671

**Certified Seed Fund 0787**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
POSITIONS - FTE COUNT	2.082	2.082
Personal Services	\$584,625	\$600,566
All Other	\$360,040	\$360,040
OTHER SPECIAL REVENUE FUNDS TOTAL	\$944,665	\$960,606

**CERTIFIED SEED FUND 0787**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
POSITIONS - FTE COUNT	2.082	2.082
Personal Services	\$584,625	\$600,566
All Other	\$360,040	\$360,040
OTHER SPECIAL REVENUE FUNDS TOTAL	\$944,665	\$960,606

**Coastal Island Registry Z241**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$107	\$107
OTHER SPECIAL REVENUE FUNDS TOTAL	\$107	\$107

**Coastal Island Registry Z241**

Initiative: Transfers one Planning and Research Associate I position, one Planning and Research Associate II position and one Chief Planner position and related All Other funding from the Land Management and Planning program to the Coastal Island Registry program within the same fund to achieve administrative efficiencies. Also reallocates 25% of the cost of one Secretary position from the Land Management and Planning program to the Coastal Island Registry program within the same fund.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$242,960	\$248,499
All Other	\$113,093	\$113,119
OTHER SPECIAL REVENUE FUNDS TOTAL	\$356,053	\$361,618

**Coastal Island Registry Z241**

Initiative: Transfers funding for the Shore and Harbor Management Fund from the Land Management and Planning program to the Coastal Island Registry program to achieve administrative efficiencies.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$200,527	\$200,527
OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,527	\$200,527

**Coastal Island Registry Z241**

Initiative: Transfers funding for the Mackworth Island Trust from the Land Management and Planning program to the Coastal Island Registry program to achieve administrative efficiencies.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$4,055	\$4,055

OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,055	\$4,055
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**COASTAL ISLAND REGISTRY Z241 PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$242,960	\$248,499
All Other	\$317,782	\$317,808
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$560,742</b>	<b>\$566,307</b>

**Division of Agricultural Resource Development 0833**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$367,972	\$377,559
All Other	\$121,393	\$121,393
<b>GENERAL FUND TOTAL</b>	<b>\$489,365</b>	<b>\$498,952</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$73,283	\$76,574
All Other	\$1,057,301	\$1,057,301
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,130,584</b>	<b>\$1,133,875</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$209,958	\$217,560
All Other	\$354,026	\$354,026
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$563,984</b>	<b>\$571,586</b>

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$400,000	\$400,000
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$400,000</b>	<b>\$400,000</b>

**Division of Agricultural Resource Development 0833**

Initiative: Provides funding for external trade shows.

GENERAL FUND	2017-18	2018-19
All Other	\$150,000	\$150,000
<b>GENERAL FUND TOTAL</b>	<b>\$150,000</b>	<b>\$150,000</b>

**Division of Agricultural Resource Development 0833**

Initiative: Transfers and reallocates the cost of one Director, Market Development position from 54% Other Special Revenue Funds and 46% General Fund to 100% General Fund within the same program and transfers All Other to Personal Services to fund the reallocation.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$51,628	\$54,160
All Other	(\$51,628)	(\$54,160)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$51,628)	(\$54,160)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$51,628)</b>	<b>(\$54,160)</b>

**Division of Agricultural Resource Development 0833**

Initiative: Establishes one Public Service Coordinator I position and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000

Personal Services	\$87,300	\$91,619
All Other	\$3,273	\$3,435
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$90,573	\$95,054

**Division of Agricultural Resource Development 0833**

Initiative: Transfers Personal Services and All Other funding from the Division of Agricultural Resource Development program to the existing Division of Quality Assurance and Regulation program to create the new Bureau of Agriculture program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(5.000)	(5.000)
Personal Services	(\$419,600)	(\$431,719)
All Other	(\$219,765)	(\$217,233)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$639,365)	(\$648,952)

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$73,283)	(\$76,574)
All Other	(\$1,057,301)	(\$1,057,301)
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	(\$1,130,584)	(\$1,133,875)

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$245,630)	(\$255,019)
All Other	(\$357,299)	(\$357,461)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$602,929)	(\$612,480)

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$600,000)	(\$600,000)
	<hr/>	<hr/>
FEDERAL BLOCK GRANT FUND TOTAL	(\$600,000)	(\$600,000)

**Division of Agricultural Resource Development 0833**

Initiative: Provides funding for ongoing block grant expenditures.

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$200,000	\$200,000
	<hr/>	<hr/>
FEDERAL BLOCK GRANT FUND TOTAL	\$200,000	\$200,000

**DIVISION OF AGRICULTURAL RESOURCE DEVELOPMENT 0833**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$0	\$0

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
	<hr/>	<hr/>
FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$0

**Division of Animal Health and Industry 0394**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$795,429	\$809,851
All Other	\$121,419	\$121,419
<b>GENERAL FUND TOTAL</b>	<b>\$916,848</b>	<b>\$931,270</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$36,413	\$37,967
All Other	\$649,944	\$649,944

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$686,357</b>	<b>\$687,911</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$181,702	\$181,702

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$181,702</b>	<b>\$181,702</b>
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**Division of Animal Health and Industry 0394**

Initiative: Transfers Personal Services and All Other funding from the Division of Animal Health and Industry program to the existing Division of Quality Assurance and Regulation program to create the new Bureau of Agriculture program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(7.000)	(7.000)
Personal Services	(\$715,475)	(\$729,304)
All Other	(\$121,419)	(\$121,419)
<b>GENERAL FUND TOTAL</b>	<b>(\$836,894)</b>	<b>(\$850,723)</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
Personal Services	(\$36,413)	(\$37,967)
All Other	(\$649,944)	(\$649,944)

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$686,357)</b>	<b>(\$687,911)</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$181,702)	(\$181,702)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$181,702)</b>	<b>(\$181,702)</b>

**Division of Animal Health and Industry 0394**

Initiative: Transfers Personal Services and All Other funding from the Division of Animal Health and Industry program and the Division of Plant Industry program to the existing Division of Quality Assurance and Regulation program to create the new Bureau of Agriculture program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$79,954)	(\$80,547)
<b>GENERAL FUND TOTAL</b>	<b>(\$79,954)</b>	<b>(\$80,547)</b>

**DIVISION OF ANIMAL HEALTH AND INDUSTRY 0394 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0

OTHER SPECIAL	\$0	\$0
REVENUE FUNDS TOTAL		

**Division of Forest Protection Z232**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	79.000	79.000
POSITIONS - FTE COUNT	2.307	2.307
Personal Services	\$5,681,945	\$5,792,687
All Other	\$1,313,048	\$1,313,048
<b>GENERAL FUND TOTAL</b>	<b>\$6,994,993</b>	<b>\$7,105,735</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	2.192	2.192
Personal Services	\$238,366	\$242,638
All Other	\$868,941	\$868,941
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,107,307</b>	<b>\$1,111,579</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$226,154	\$226,154
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$226,154</b>	<b>\$226,154</b>

**Division of Forest Protection Z232**

Initiative: Reallocates the cost of 15 Forest Ranger II positions, 2 District Forest Ranger positions and one Office Associate II position between the Division of Forest Protection program and the Forest Health Monitoring program within the same fund to match staff duties with funding sources.

GENERAL FUND	2017-18	2018-19
Personal Services	(\$422,378)	(\$437,279)
<b>GENERAL FUND TOTAL</b>	<b>(\$422,378)</b>	<b>(\$437,279)</b>

**Division of Forest Protection Z232**

Initiative: Eliminates one Ranger Pilot position and reduces funding for related All Other costs.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$70,003)	(\$73,212)
All Other	(\$11,750)	(\$11,750)
<b>GENERAL FUND TOTAL</b>	<b>(\$81,753)</b>	<b>(\$84,962)</b>

**Division of Forest Protection Z232**

Initiative: Reduces funding to align allocation with anticipated resources.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$150,000)	(\$150,000)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$150,000)</b>	<b>(\$150,000)</b>

**DIVISION OF FOREST PROTECTION Z232**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	78.000	78.000
POSITIONS - FTE COUNT	2.307	2.307
Personal Services	\$5,189,564	\$5,282,196
All Other	\$1,301,298	\$1,301,298
<b>GENERAL FUND TOTAL</b>	<b>\$6,490,862</b>	<b>\$6,583,494</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	2.192	2.192
Personal Services	\$238,366	\$242,638
All Other	\$718,941	\$718,941
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$957,307</b>	<b>\$961,579</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$226,154	\$226,154

OTHER SPECIAL REVENUE FUNDS TOTAL	\$226,154	\$226,154
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**Division of Plant Industry 0831**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$102,100	\$103,119
All Other	\$42,079	\$42,079
<b>GENERAL FUND TOTAL</b>	<b>\$144,179</b>	<b>\$145,198</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$62,156	\$63,356
All Other	\$529,563	\$529,563
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$591,719</b>	<b>\$592,919</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$63,350	\$65,112
All Other	\$53,499	\$53,499
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$116,849</b>	<b>\$118,611</b>

**Division of Plant Industry 0831**

Initiative: Transfers Personal Services and All Other funding from the Division of Animal Health and Industry program and Division of Plant Industry program to the existing Division of Quality Assurance and Regulation program to create the new Bureau of Agriculture program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$102,100)	(\$103,119)
All Other	(\$42,079)	(\$42,079)
<b>GENERAL FUND TOTAL</b>	<b>(\$144,179)</b>	<b>(\$145,198)</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$62,156)	(\$63,356)
All Other	(\$529,563)	(\$529,563)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$591,719)</b>	<b>(\$592,919)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
Personal Services	(\$63,350)	(\$65,112)
All Other	(\$53,499)	(\$53,499)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$116,849)</b>	<b>(\$118,611)</b>

**DIVISION OF PLANT INDUSTRY 0831 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

OTHER SPECIAL	\$0	\$0
REVENUE FUNDS TOTAL		

**Division of Quality Assurance and Regulation 0393**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	29.500	29.500
Personal Services	\$2,391,317	\$2,441,358
All Other	\$395,116	\$395,116
<b>GENERAL FUND TOTAL</b>	<b>\$2,786,433</b>	<b>\$2,836,474</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	20.000	20.000
POSITIONS - FTE COUNT	9.954	9.954
Personal Services	\$1,980,614	\$2,040,684
All Other	\$312,601	\$312,601

FEDERAL EXPENDITURES FUND TOTAL	\$2,293,215	\$2,353,285
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$151,051	\$155,546
All Other	\$276,041	\$276,041

OTHER SPECIAL REVENUE FUNDS TOTAL	\$427,092	\$431,587
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**Division of Quality Assurance and Regulation 0393**

Initiative: Provides one-time funding to replace a trailer used for calibration and scale testing in the metrology calibration laboratory.

GENERAL FUND	2017-18	2018-19
Capital Expenditures	\$100,000	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$100,000</b>	<b>\$0</b>

**Division of Quality Assurance and Regulation 0393**

Initiative: Provides ongoing funding for the Seed Certification Disease Testing Laboratory.

GENERAL FUND	2017-18	2018-19
All Other	\$150,000	\$150,000
<b>GENERAL FUND TOTAL</b>	<b>\$150,000</b>	<b>\$150,000</b>

**Division of Quality Assurance and Regulation 0393**

Initiative: Transfers one Office Specialist I position and 2 Consumer Protection Inspector positions and related All Other from the Beverage Container Enforcement Fund program, Other Special Revenue Funds to the Division of Quality Assurance and Regulation program, Federal Expenditures Fund and increases All Other funding in the Division of Quality Assurance and Regulation program, Federal Expenditures Fund for the federal FDA Food Safety Modernization Act program.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$224,139	\$231,828
All Other	\$273,318	\$273,402

FEDERAL EXPENDITURES FUND TOTAL	\$497,457	\$505,230
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**Division of Quality Assurance and Regulation 0393**

Initiative: Transfers Personal Services and All Other funding from the Division of Animal Health and Industry program to the existing Division of Quality Assurance and Regulation program to create the new Bureau of Agriculture program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$715,475	\$729,304
All Other	\$121,419	\$121,419

GENERAL FUND TOTAL	\$836,894	\$850,723
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$36,413	\$37,967
All Other	\$649,944	\$649,944

FEDERAL EXPENDITURES FUND TOTAL	\$686,357	\$687,911
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	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	\$181,702	\$181,702
OTHER SPECIAL REVENUE FUNDS TOTAL	\$181,702	\$181,702

**Division of Quality Assurance and Regulation 0393**

Initiative: Transfers All Other funding from the Potato Quality Control - Reducing Inspection Costs program to the existing Division of Quality Assurance and Regulation program to create the new Bureau of Agriculture program.

	2017-18	2018-19
<b>GENERAL FUND</b>		
All Other	\$74,676	\$74,676
GENERAL FUND TOTAL	\$74,676	\$74,676

**Division of Quality Assurance and Regulation 0393**

Initiative: Transfers Personal Services and All Other funding from the Food Assistance Program to the existing Division of Quality Assurance and Regulation program to create the new Bureau of Agriculture program.

	2017-18	2018-19
<b>GENERAL FUND</b>		
POSITIONS - LEGISLATIVE COUNT	2.500	2.500
Personal Services	\$164,967	\$172,675
All Other	\$51,212	\$51,212
GENERAL FUND TOTAL	\$216,179	\$223,887

	2017-18	2018-19
<b>FEDERAL EXPENDITURES FUND</b>		
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$76,434	\$80,203
All Other	\$353,386	\$353,386
FEDERAL EXPENDITURES FUND TOTAL	\$429,820	\$433,589

**Division of Quality Assurance and Regulation 0393**

Initiative: Transfers Personal Services and All Other funding from the Division of Animal Health and Industry program and Division of Plant Industry program to the existing Division of Quality Assurance and Regulation program to create the new Bureau of Agriculture program.

	2017-18	2018-19
<b>GENERAL FUND</b>		
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$182,054	\$183,666
All Other	\$42,079	\$42,079
GENERAL FUND TOTAL	\$224,133	\$225,745

	2017-18	2018-19
<b>FEDERAL EXPENDITURES FUND</b>		
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$62,156	\$63,356
All Other	\$529,563	\$529,563
FEDERAL EXPENDITURES FUND TOTAL	\$591,719	\$592,919

	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$63,350	\$65,112
All Other	\$53,499	\$53,499
OTHER SPECIAL REVENUE FUNDS TOTAL	\$116,849	\$118,611

**Division of Quality Assurance and Regulation 0393**

Initiative: Transfers Personal Services and All Other funding from the Division of Agricultural Resource Development program to the existing Division of Quality Assurance and Regulation program to create the new Bureau of Agriculture program.

	2017-18	2018-19
<b>GENERAL FUND</b>		
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$419,600	\$431,719
All Other	\$219,765	\$217,233
GENERAL FUND TOTAL	\$639,365	\$648,952

	2017-18	2018-19
<b>FEDERAL EXPENDITURES FUND</b>		
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$73,283	\$76,574
All Other	\$1,057,301	\$1,057,301

FEDERAL EXPENDITURES FUND TOTAL	\$1,130,584	\$1,133,875
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	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$245,630	\$255,019
All Other	\$357,299	\$357,461

OTHER SPECIAL REVENUE FUNDS TOTAL	\$602,929	\$612,480
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	2017-18	2018-19
<b>FEDERAL BLOCK GRANT FUND</b>		
All Other	\$600,000	\$600,000

FEDERAL BLOCK GRANT FUND TOTAL	\$600,000	\$600,000
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**Division of Quality Assurance and Regulation 0393**

Initiative: Transfers All Other funding from the Rural Rehabilitation program to the existing Division of Quality Assurance and Regulation program to create the new Bureau of Agriculture program.

	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	\$16,316	\$16,316

OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,316	\$16,316
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**Division of Quality Assurance and Regulation 0393**

Initiative: Transfers one Planning and Research Associate I position from the General Fund to the Federal Expenditures Fund and transfers one Planning and Research Associate II position from the Federal Expenditures Fund to the General Fund within the same program.

	2017-18	2018-19
<b>GENERAL FUND</b>		
Personal Services	\$13,033	\$13,612

GENERAL FUND TOTAL	\$13,033	\$13,612
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	2017-18	2018-19
<b>FEDERAL EXPENDITURES FUND</b>		
Personal Services	(\$13,033)	(\$13,612)

FEDERAL EXPENDITURES FUND TOTAL	(\$13,033)	(\$13,612)
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**Division of Quality Assurance and Regulation 0393**

Initiative: Transfers one Public Service Coordinator I position and related All Other funds from the Geological Survey program to the Division of Quality Assurance and Regulation program within the same fund.

	2017-18	2018-19
<b>GENERAL FUND</b>		
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$114,491	\$115,527
All Other	\$416,950	\$416,950

GENERAL FUND TOTAL	\$531,441	\$532,477
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**Division of Quality Assurance and Regulation 0393**

Initiative: Provides funding to the Agriculture Promotion Fund.

	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	\$2,500,000	\$2,500,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,500,000	\$2,500,000
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**DIVISION OF QUALITY ASSURANCE AND REGULATION 0393**

**PROGRAM SUMMARY**

	2017-18	2018-19
<b>GENERAL FUND</b>		
POSITIONS - LEGISLATIVE COUNT	47.000	47.000
Personal Services	\$4,000,937	\$4,087,861
All Other	\$1,471,217	\$1,468,685
Capital Expenditures	\$100,000	\$0

GENERAL FUND TOTAL	\$5,572,154	\$5,556,546
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**FEDERAL EXPENDITURES FUND**

	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	26.500	26.500
POSITIONS - FTE COUNT	9.954	9.954
Personal Services	\$2,440,006	\$2,517,000
All Other	\$3,176,113	\$3,176,197

FEDERAL EXPENDITURES FUND TOTAL	\$5,616,119	\$5,693,197
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	4.500	4.500
Personal Services	\$460,031	\$475,677
All Other	\$3,384,857	\$3,385,019
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,844,888	\$3,860,696
<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$600,000	\$600,000
FEDERAL BLOCK GRANT FUND TOTAL	\$600,000	\$600,000

**Floodplain Management Z151**  
Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$47,889	\$48,262
All Other	\$7,423	\$7,423
GENERAL FUND TOTAL	\$55,312	\$55,685
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$208,982	\$213,865
All Other	\$56,105	\$56,105
FEDERAL EXPENDITURES FUND TOTAL	\$265,087	\$269,970
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

**Floodplain Management Z151**

Initiative: Reallocates the cost of one Planner II position from 62.5% General Fund and 37.5% Federal Expenditures Fund to 70% General Fund and 30% Federal Expenditures Fund within the same program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$6,321	\$6,365
GENERAL FUND TOTAL	\$6,321	\$6,365
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$6,321)	(\$6,365)
FEDERAL EXPENDITURES FUND TOTAL	(\$6,321)	(\$6,365)

**Floodplain Management Z151**

Initiative: Eliminates one vacant Senior Planner position.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$82,790)	(\$86,337)
All Other	(\$4,553)	(\$4,749)
FEDERAL EXPENDITURES FUND TOTAL	(\$87,343)	(\$91,086)

**FLOODPLAIN MANAGEMENT Z151 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$54,210	\$54,627
All Other	\$7,423	\$7,423
GENERAL FUND TOTAL	\$61,633	\$62,050
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$119,871	\$121,163
All Other	\$51,552	\$51,356
FEDERAL EXPENDITURES FUND TOTAL	\$171,423	\$172,519

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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**Food Assistance Program 0816**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.500	2.500
Personal Services	\$164,967	\$172,675
All Other	\$51,212	\$51,212

GENERAL FUND TOTAL	\$216,179	\$223,887
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$76,434	\$80,203
All Other	\$353,386	\$353,386

FEDERAL EXPENDITURES FUND TOTAL	\$429,820	\$433,589
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**Food Assistance Program 0816**

Initiative: Transfers Personal Services and All Other funding from the Food Assistance Program to the existing Division of Quality Assurance and Regulation program to create the new Bureau of Agriculture program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(2.500)	(2.500)
Personal Services	(\$164,967)	(\$172,675)
All Other	(\$51,212)	(\$51,212)

GENERAL FUND TOTAL	(\$216,179)	(\$223,887)
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$76,434)	(\$80,203)
All Other	(\$353,386)	(\$353,386)

FEDERAL EXPENDITURES FUND TOTAL	(\$429,820)	(\$433,589)
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**FOOD ASSISTANCE PROGRAM 0816 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0

GENERAL FUND TOTAL	\$0	\$0
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0
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**Forest Health and Monitoring Z233**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	33.000	33.000
POSITIONS - FTE COUNT	2.923	2.923
Personal Services	\$4,508,127	\$4,579,449
All Other	\$1,067,788	\$1,067,788

GENERAL FUND TOTAL	\$5,575,915	\$5,647,237
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
POSITIONS - FTE COUNT	8.597	8.597
Personal Services	\$969,340	\$990,220
All Other	\$1,731,491	\$1,731,491

FEDERAL EXPENDITURES FUND TOTAL	\$2,700,831	\$2,721,711
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	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	\$410,829	\$410,829
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	\$410,829	\$410,829

**Forest Health and Monitoring Z233**

Initiative: Reorganizes one vacant Senior Planner position to a Planning and Research Associate I position and transfers and reallocates the position from 100% Other Special Revenue Funds in the Land Management and Planning program to 50% General Fund and 50% Federal Expenditures Fund in the Forest Health and Monitoring program.

	2017-18	2018-19
<b>GENERAL FUND</b>		
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$34,437	\$36,208
<b>GENERAL FUND TOTAL</b>	\$34,437	\$36,208

	2017-18	2018-19
<b>FEDERAL EXPENDITURES FUND</b>		
Personal Services	\$34,431	\$36,204
All Other	\$890	\$936
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	\$35,321	\$37,140

**Forest Health and Monitoring Z233**

Initiative: Provides funding for ongoing stream cross-ing improvements.

	2017-18	2018-19
<b>FEDERAL EXPENDITURES FUND</b>		
Capital Expenditures	\$20,000	\$20,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	\$20,000	\$20,000

**Forest Health and Monitoring Z233**

Initiative: Reallocates the cost of 15 Forest Ranger II positions, 2 District Forest Ranger positions and one Office Associate II position between the Division of Forest Protection program and the Forest Health Monitoring program within the same fund to match staff duties with funding sources.

	2017-18	2018-19
<b>GENERAL FUND</b>		
Personal Services	\$422,378	\$437,279

<b>GENERAL FUND TOTAL</b>	\$422,378	\$437,279
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**Forest Health and Monitoring Z233**

Initiative: Reorganizes one Senior Entomology Technician position to an Entomologist Field Supervisor position.

	2017-18	2018-19
<b>GENERAL FUND</b>		
Personal Services	\$2,256	\$4,931
<b>GENERAL FUND TOTAL</b>	\$2,256	\$4,931

**Forest Health and Monitoring Z233**

Initiative: Reorganizes one Entomologist II position to an Entomologist III position.

	2017-18	2018-19
<b>GENERAL FUND</b>		
Personal Services	\$7,932	\$10,993
<b>GENERAL FUND TOTAL</b>	\$7,932	\$10,993

**Forest Health and Monitoring Z233**

Initiative: Eliminates one Ranger Pilot position and reduces funding for related All Other costs.

	2017-18	2018-19
<b>GENERAL FUND</b>		
Personal Services	(\$28,591)	(\$29,905)
All Other	(\$4,800)	(\$4,800)
<b>GENERAL FUND TOTAL</b>	(\$33,391)	(\$34,705)

**Forest Health and Monitoring Z233**

Initiative: Reduces funding to align allocation with anticipated resources.

	2017-18	2018-19
<b>FEDERAL EXPENDITURES FUND</b>		
All Other	(\$850,000)	(\$850,000)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	(\$850,000)	(\$850,000)

	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	(\$200,000)	(\$200,000)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	(\$200,000)	(\$200,000)

**FOREST HEALTH AND MONITORING Z233**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	34.000	34.000
POSITIONS - FTE COUNT	2.923	2.923
Personal Services	\$4,946,539	\$5,038,955
All Other	\$1,062,988	\$1,062,988
<b>GENERAL FUND TOTAL</b>	<b>\$6,009,527</b>	<b>\$6,101,943</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
POSITIONS - FTE COUNT	8.597	8.597
Personal Services	\$1,003,771	\$1,026,424
All Other	\$882,381	\$882,427
Capital Expenditures	\$20,000	\$20,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,906,152</b>	<b>\$1,928,851</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$210,829	\$210,829
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$210,829</b>	<b>\$210,829</b>

**Forest Recreation Resource Fund Z354**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - FTE COUNT	1.058	1.058
Personal Services	\$71,422	\$72,923
All Other	\$3,352	\$3,352
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$74,774</b>	<b>\$76,275</b>

**FOREST RECREATION RESOURCE FUND Z354**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - FTE COUNT	1.058	1.058
Personal Services	\$71,422	\$72,923
All Other	\$3,352	\$3,352
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$74,774</b>	<b>\$76,275</b>

**Geological Survey Z237**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$1,031,516	\$1,051,822
All Other	\$446,106	\$446,106
<b>GENERAL FUND TOTAL</b>	<b>\$1,477,622</b>	<b>\$1,497,928</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$147,943	\$151,435
All Other	\$168,286	\$168,286
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$316,229</b>	<b>\$319,721</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$88,720	\$88,720
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$88,720</b>	<b>\$88,720</b>

**Geological Survey Z237**

Initiative: Transfers one Public Service Coordinator I position and related All Other funds from the Geological Survey program to the Division of Quality Assurance and Regulation program within the same fund.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$114,491)	(\$115,527)
All Other	(\$416,950)	(\$416,950)
<b>GENERAL FUND TOTAL</b>	<b>(\$531,441)</b>	<b>(\$532,477)</b>

**Geological Survey Z237**

Initiative: Reallocates the cost of one Secretary Associate position from 25% Federal Expenditures Fund in the Maine Coastal Program and 75% General Fund in the Geological Survey program to 25% Other Special Revenue Funds and 75% General Fund in the Geological Survey program.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$16,451	\$16,603
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$16,451</b>	<b>\$16,603</b>

**Geological Survey Z237**

Initiative: Eliminates one Hydrogeologist position in the Geological Survey program as of December 31, 2017.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$47,949)	(\$101,302)
<b>GENERAL FUND TOTAL</b>	<b>(\$47,949)</b>	<b>(\$101,302)</b>

**Geological Survey Z237**

Initiative: Transfers one Senior Planner position from the Federal Expenditures Fund in the Municipal Planning Assistance program to Other Special Revenue Funds in the Geological Survey program.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$90,491	\$91,351
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$90,491</b>	<b>\$91,351</b>

**GEOLOGICAL SURVEY Z237 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$869,076	\$834,993
All Other	\$29,156	\$29,156
<b>GENERAL FUND TOTAL</b>	<b>\$898,232</b>	<b>\$864,149</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$147,943	\$151,435
All Other	\$168,286	\$168,286
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$316,229</b>	<b>\$319,721</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$106,942	\$107,954
All Other	\$88,720	\$88,720
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$195,662</b>	<b>\$196,674</b>

**Harness Racing Commission 0320**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4.500	4.500
POSITIONS - FTE COUNT	3.750	3.750
Personal Services	\$665,781	\$686,832
All Other	\$14,630,670	\$14,630,670
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$15,296,451</b>	<b>\$15,317,502</b>

**Harness Racing Commission 0320**

Initiative: Adjusts funding to the level approved by the Harness Racing Commission on July 22, 2016. Eliminates one part-time Office Assistant II position and one seasonal Veterinarian position and provides funding to increase the number of weeks for one State Harness Racing Technician position from 30 weeks to 52 weeks.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
POSITIONS - FTE COUNT	(1.154)	(1.154)
Personal Services	(\$51,448)	(\$54,696)

All Other	(\$651,984)	(\$669,787)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$703,432)	(\$724,483)

**Harness Racing Commission 0320**

Initiative: Reduces funding to bring allocations in line with available resources as projected in the December 2016 Revenue Forecasting Committee report.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$2,285,639)	(\$2,181,123)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$2,285,639)	(\$2,181,123)

**HARNESS RACING COMMISSION 0320**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
POSITIONS - FTE COUNT	2.596	2.596
Personal Services	\$614,333	\$632,136
All Other	\$11,693,047	\$11,779,760
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,307,380	\$12,411,896

**Land for Maine's Future Z162**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$235,799	\$241,331
All Other	\$13,630	\$13,630
GENERAL FUND TOTAL	\$249,429	\$254,961

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$90,051	\$90,823
All Other	\$4,849	\$4,849

FEDERAL EXPENDITURES FUND TOTAL	\$94,900	\$95,672
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**OTHER SPECIAL REVENUE FUNDS**

All Other	\$47,560	\$47,560
OTHER SPECIAL REVENUE FUNDS TOTAL	\$47,560	\$47,560

**Land for Maine's Future Z162**

Initiative: Provides funding for STA-CAP.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$4,700	\$4,700
FEDERAL EXPENDITURES FUND TOTAL	\$4,700	\$4,700

**Land for Maine's Future Z162**

Initiative: Eliminates one vacant Senior Planner position.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$81,757)	(\$85,655)
GENERAL FUND TOTAL	(\$81,757)	(\$85,655)

**LAND FOR MAINE'S FUTURE Z162**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$154,042	\$155,676
All Other	\$13,630	\$13,630
GENERAL FUND TOTAL	\$167,672	\$169,306

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$90,051	\$90,823
All Other	\$9,549	\$9,549

FEDERAL EXPENDITURES FUND TOTAL	\$99,600	\$100,372
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$47,560	\$47,560
OTHER SPECIAL REVENUE FUNDS TOTAL	\$47,560	\$47,560

**Land Management and Planning Z239**

Initiative: BASELINE BUDGET

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$37,557	\$37,557
FEDERAL EXPENDITURES FUND TOTAL	\$37,557	\$37,557
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	40.000	40.000
POSITIONS - FTE COUNT	2.962	2.962
Personal Services	\$3,605,369	\$3,685,645
All Other	\$2,736,774	\$2,736,774
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,342,143	\$6,422,419

**Land Management and Planning Z239**

Initiative: Provides funding for capital equipment replacements.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Capital Expenditures	\$56,000	\$44,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$56,000	\$44,000

**Land Management and Planning Z239**

Initiative: Transfers and reallocates the cost of multiple positions from the Parks - General Operations program, General Fund and the Land Management and Planning program, Other Special Revenue Funds to the Parks - General Operations program, General Fund, the Land Management and Planning program,

Other Special Revenue Funds and the Maine State Parks Development Fund program, Other Special Revenue Funds to align work effort with the appropriate funding.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$9,975	\$13,522
All Other	\$522	\$548
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,497	\$14,070

**Land Management and Planning Z239**

Initiative: Reallocates one Director, Bureau of Parks and Lands position from 50% General Fund in the Parks - General Operations program and 50% Other Special Revenue Funds in the Land Management and Planning program to 100% General Fund in the Parks - General Operations program and reduces funding for related All Other costs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$84,611)	(\$87,472)
All Other	(\$2,443)	(\$2,565)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$87,054)	(\$90,037)

**Land Management and Planning Z239**

Initiative: Reorganizes one vacant Senior Planner position to a Planning and Research Associate I position and transfers and reallocates the position from 100% Other Special Revenue Funds in the Land Management and Planning program to 50% General Fund and 50% Federal Expenditures Fund in the Forest Health and Monitoring program.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$82,159)	(\$86,057)
All Other	(\$3,090)	(\$3,237)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$85,249)	(\$89,294)

**Land Management and Planning Z239**

Initiative: Adjusts funding for office lease fees at the Dorothea Dix Psychiatric Center.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$2,427	\$5,180
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,427</b>	<b>\$5,180</b>

**Land Management and Planning Z239**

Initiative: Transfers one Planning and Research Associate I position, one Planning and Research Associate II position and one Chief Planner position and related All Other funding from the Land Management and Planning program to the Coastal Island Registry program within the same fund to achieve administrative efficiencies. Also reallocates 25% of the cost of one Secretary position from the Land Management and Planning program to the Coastal Island Registry program within the same fund.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$242,960)	(\$248,499)
All Other	(\$113,093)	(\$113,119)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$356,053)</b>	<b>(\$361,618)</b>

**Land Management and Planning Z239**

Initiative: Transfers funding for the Shore and Harbor Management Fund from the Land Management and Planning program to the Coastal Island Registry program to achieve administrative efficiencies.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$200,527)	(\$200,527)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$200,527)</b>	<b>(\$200,527)</b>

**Land Management and Planning Z239**

Initiative: Transfers funding for the Mackworth Island Trust from the Land Management and Planning program to the Coastal Island Registry program to achieve administrative efficiencies.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$4,055)	(\$4,055)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$4,055)	(\$4,055)
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**LAND MANAGEMENT AND PLANNING Z239 PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$37,557	\$37,557

FEDERAL EXPENDITURES FUND TOTAL	\$37,557	\$37,557
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	38.000	38.000
POSITIONS - FTE COUNT	2.962	2.962
Personal Services	\$3,205,614	\$3,277,139
All Other	\$2,416,515	\$2,418,999
Capital Expenditures	\$56,000	\$44,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,678,129	\$5,740,138
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**Maine Coastal Program Z150**

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$389,083	\$394,217
All Other	\$1,091,329	\$1,091,329

FEDERAL EXPENDITURES FUND TOTAL	\$1,480,412	\$1,485,546
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$150,500	\$150,500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$150,500	\$150,500
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**Maine Coastal Program Z150**

Initiative: Transfers one vacant Senior Planner position from the Municipal Planning Assistance program to the Maine Coastal Program within the same fund.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$81,757	\$85,655
All Other	\$4,500	\$4,700
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$86,257</b>	<b>\$90,355</b>

**Maine Coastal Program Z150**

Initiative: Transfers positions and All Other funding from the Department of Agriculture, Conservation and Forestry, Maine Coastal Program, Federal Expenditures Fund to the Department of Marine Resources, Bureau of Policy and Management program, Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(5.000)	(5.000)
Personal Services	(\$454,389)	(\$463,269)
All Other	(\$1,095,829)	(\$1,096,029)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$1,550,218)</b>	<b>(\$1,559,298)</b>

**Maine Coastal Program Z150**

Initiative: Transfers All Other funding from the Department of Agriculture, Conservation and Forestry, Maine Coastal Program, Other Special Revenue Funds to the Department of Marine Resources, Bureau of Policy and Management program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$150,500)	(\$150,500)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$150,500)</b>	<b>(\$150,500)</b>

**Maine Coastal Program Z150**

Initiative: Reallocates the cost of one Secretary Associate position from 25% Federal Expenditures Fund in the Maine Coastal Program and 75% General Fund in the Geological Survey program to 25% Other Special Revenue Funds and 75% General Fund in the Geological Survey program.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	(\$16,451)	(\$16,603)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$16,451)</b>	<b>(\$16,603)</b>

**MAINE COASTAL PROGRAM Z150 PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Maine Conservation Corps Z149**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$84,552	\$86,852
All Other	\$3,096	\$3,096
<b>GENERAL FUND TOTAL</b>	<b>\$87,648</b>	<b>\$89,948</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$62,795	\$65,823
All Other	\$392,412	\$392,412
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$455,207</b>	<b>\$458,235</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$137,232	\$141,049
All Other	\$672,938	\$672,938
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$810,170	\$813,987

Initiative: Reduces funding for technical assistance grants.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$100,000)	(\$100,000)
<hr/>		
GENERAL FUND TOTAL	(\$100,000)	(\$100,000)

**MAINE CONSERVATION CORPS Z149 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$84,552	\$86,852
All Other	\$3,096	\$3,096
<hr/>		
GENERAL FUND TOTAL	\$87,648	\$89,948

**MAINE FARMS FOR THE FUTURE PROGRAM 0925 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$142,589	\$142,589
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GENERAL FUND TOTAL	\$142,589	\$142,589

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$62,795	\$65,823
All Other	\$392,412	\$392,412
<hr/>		
FEDERAL EXPENDITURES FUND TOTAL	\$455,207	\$458,235

**Maine Land Use Planning Commission Z236 Initiative: BASELINE BUDGET**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	21.000	21.000
Personal Services	\$1,783,945	\$1,827,826
All Other	\$130,926	\$130,926
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GENERAL FUND TOTAL	\$1,914,871	\$1,958,752

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$137,232	\$141,049
All Other	\$672,938	\$672,938
<hr/>		
OTHER SPECIAL REVENUE FUNDS TOTAL	\$810,170	\$813,987

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$2,310	\$2,310
All Other	\$308,178	\$308,178
<hr/>		
OTHER SPECIAL REVENUE FUNDS TOTAL	\$310,488	\$310,488

**Maine Farms for the Future Program 0925**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$242,589	\$242,589
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GENERAL FUND TOTAL	\$242,589	\$242,589

**Maine Land Use Planning Commission Z236 Initiative: Adjusts funding for office lease fees at the Dorothea Dix Psychiatric Center.**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,318	\$2,068
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GENERAL FUND TOTAL	\$1,318	\$2,068

**Maine Farms for the Future Program 0925**

**Maine Land Use Planning Commission Z236**

Initiative: Reduces funding to align allocation with anticipated resources.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
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All Other	(\$200,000)	(\$200,000)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$200,000)</b>	<b>(\$200,000)</b>

**MAINE LAND USE PLANNING COMMISSION Z236**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	21.000	21.000
Personal Services	\$1,783,945	\$1,827,826
All Other	\$132,244	\$132,994
<b>GENERAL FUND TOTAL</b>	<b>\$1,916,189</b>	<b>\$1,960,820</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$2,310	\$2,310
All Other	\$108,178	\$108,178
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$110,488</b>	<b>\$110,488</b>

**Maine Mosquito Management Fund Z180**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Maine Mosquito Management Fund Z180**

Initiative: Transfers All Other funding from the Maine Mosquito Management Fund program to the Board of Pesticides Control program within the same fund.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$500)	(\$500)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$500)</b>	<b>(\$500)</b>

**MAINE MOSQUITO MANAGEMENT FUND Z180**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Maine State Parks Development Fund Z342**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	4.019	4.019
Personal Services	\$320,308	\$329,461
All Other	\$900,952	\$900,952
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,221,260</b>	<b>\$1,230,413</b>

**Maine State Parks Development Fund Z342**

Initiative: Transfers and reallocates the cost of multiple positions from the Parks - General Operations program, General Fund and the Land Management and Planning program, Other Special Revenue Funds to the Parks - General Operations program, General Fund, the Land Management and Planning program, Other Special Revenue Funds and the Maine State Parks Development Fund program, Other Special Revenue Funds to align work effort with the appropriate funding.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$26,984	\$27,238
All Other	\$1,020	\$1,030
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$28,004</b>	<b>\$28,268</b>

**MAINE STATE PARKS DEVELOPMENT FUND Z342**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	4.019	4.019
Personal Services	\$347,292	\$356,699

All Other	\$901,972	\$901,982
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,249,264	\$1,258,681

**Maine State Parks Program Z746**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$754,932	\$754,932
OTHER SPECIAL REVENUE FUNDS TOTAL	\$754,932	\$754,932

**MAINE STATE PARKS PROGRAM Z746**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$754,932	\$754,932
OTHER SPECIAL REVENUE FUNDS TOTAL	\$754,932	\$754,932

**Milk Commission 0188**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$192,434	\$195,677
All Other	\$11,934,708	\$11,934,708
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,127,142	\$12,130,385

**Milk Commission 0188**

Initiative: Provides funding to bring the allocation in line with available resources projected in the December 2016 Revenue Forecasting Committee report.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$3,808,260	\$3,826,618
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,808,260	\$3,826,618

**Milk Commission 0188**

Initiative: Reduces funding to bring the allocation in line with available resources.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$3,313,807)	(\$3,313,807)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$3,313,807)	(\$3,313,807)

**MILK COMMISSION 0188 PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$192,434	\$195,677
All Other	\$12,429,161	\$12,447,519
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,621,595	\$12,643,196

**Municipal Planning Assistance Z161**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$159,549	\$159,549
GENERAL FUND TOTAL	\$159,549	\$159,549

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$266,754	\$272,519
All Other	\$432,678	\$432,678
FEDERAL EXPENDITURES FUND TOTAL	\$699,432	\$705,197

**Municipal Planning Assistance Z161**

Initiative: Transfers one vacant Senior Planner position from the Municipal Planning Assistance program to the Maine Coastal Program within the same fund.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$81,757)	(\$85,655)
All Other	(\$4,500)	(\$4,700)

FEDERAL EXPENDITURES	(\$86,257)	(\$90,355)
FUND TOTAL		

**Municipal Planning Assistance Z161**

Initiative: Reduces funding for municipal assistance grants.

GENERAL FUND	2017-18	2018-19
All Other	(\$159,549)	(\$159,549)
<b>GENERAL FUND TOTAL</b>	<b>(\$159,549)</b>	<b>(\$159,549)</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$100,000)	(\$100,000)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$100,000)</b>	<b>(\$100,000)</b>

**Municipal Planning Assistance Z161**

Initiative: Transfers one Senior Planner position from the Federal Expenditures Fund in the Municipal Planning Assistance program to Other Special Revenue Funds in the Geological Survey program.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$90,491)	(\$91,351)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$90,491)</b>	<b>(\$91,351)</b>

**MUNICIPAL PLANNING ASSISTANCE Z161 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$94,506	\$95,513
All Other	\$328,178	\$327,978

FEDERAL EXPENDITURES	\$422,684	\$423,491
FUND TOTAL		

**Natural Areas Program Z821**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$111,102	\$111,901
All Other	\$16,242	\$16,242

<b>GENERAL FUND TOTAL</b>	<b>\$127,344</b>	<b>\$128,143</b>
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$205,683	\$210,253
All Other	\$138,893	\$138,893

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$344,576</b>	<b>\$349,146</b>
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$336,137	\$344,327
All Other	\$206,977	\$206,977

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$543,114</b>	<b>\$551,304</b>
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**NATURAL AREAS PROGRAM Z821 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$111,102	\$111,901
All Other	\$16,242	\$16,242

<b>GENERAL FUND TOTAL</b>	<b>\$127,344</b>	<b>\$128,143</b>
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$205,683	\$210,253
All Other	\$138,893	\$138,893

FEDERAL EXPENDITURES	\$344,576	\$349,146
FUND TOTAL		
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$336,137	\$344,327
All Other	\$206,977	\$206,977
OTHER SPECIAL REVENUE FUNDS TOTAL	\$543,114	\$551,304

**Office of the Commissioner 0401**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$635,997	\$644,563
All Other	\$2,366,815	\$2,366,815
GENERAL FUND TOTAL	\$3,002,812	\$3,011,378
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$1,072,293	\$1,103,467
All Other	\$1,713,451	\$1,713,451
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,785,744	\$2,816,918

**Office of the Commissioner 0401**

Initiative: Provides funding for the increase in costs in legal services provided by the Department of the Attorney General.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$22,881
GENERAL FUND TOTAL	\$0	\$22,881

**Office of the Commissioner 0401**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Information Technology for the use of the Department of

Public Safety's State Police records management system.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$41,645
GENERAL FUND TOTAL	\$0	\$41,645
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$7,918
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$7,918

**Office of the Commissioner 0401**

Initiative: Provides funding for the increase in rates in the Department of Administrative and Financial Services, Office of Information Technology operations.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$256,126	\$210,861
GENERAL FUND TOTAL	\$256,126	\$210,861
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$48,679	\$40,085
OTHER SPECIAL REVENUE FUNDS TOTAL	\$48,679	\$40,085

**Office of the Commissioner 0401**

Initiative: Transfers one Public Service Manager I position from the Department of Agriculture, Conservation and Forestry, Office of the Commissioner program, Other Special Revenue Funds to the Department of Marine Resources, Bureau of Policy and Management program, Federal Expenditures Fund and reorganizes the position to a Resource Management Coordinator position.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$97,913)	(\$102,708)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$97,913)	(\$102,708)

**OFFICE OF THE COMMISSIONER 0401**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$635,997	\$644,563
All Other	\$2,622,941	\$2,642,202
<b>GENERAL FUND TOTAL</b>	<b>\$3,258,938</b>	<b>\$3,286,765</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$974,380	\$1,000,759
All Other	\$1,762,130	\$1,761,454
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,736,510</b>	<b>\$2,762,213</b>

**Off-Road Recreational Vehicles Program Z224**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	7.500	7.500
POSITIONS - FTE COUNT	3.155	3.155
Personal Services	\$723,431	\$732,443
All Other	\$5,703,686	\$5,703,686
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$6,427,117</b>	<b>\$6,436,129</b>

**OFF-ROAD RECREATIONAL VEHICLES PROGRAM Z224**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	7.500	7.500
POSITIONS - FTE COUNT	3.155	3.155
Personal Services	\$723,431	\$732,443
All Other	\$5,703,686	\$5,703,686
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$6,427,117</b>	<b>\$6,436,129</b>

**Parks - General Operations Z221**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	45.000	45.000
POSITIONS - FTE COUNT	78.735	78.735
Personal Services	\$7,209,744	\$7,375,882
All Other	\$681,933	\$681,933
<b>GENERAL FUND TOTAL</b>	<b>\$7,891,677</b>	<b>\$8,057,815</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$50,931	\$51,370
All Other	\$1,971,828	\$1,971,828
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,022,759</b>	<b>\$2,023,198</b>

**OTHER SPECIAL REVENUE FUNDS**

	2017-18	2018-19
POSITIONS - FTE COUNT	0.923	0.923
Personal Services	\$56,027	\$58,377
All Other	\$554,208	\$554,208
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$610,235</b>	<b>\$612,585</b>

**Parks - General Operations Z221**

Initiative: Provides funding for capital improvements to ensure roads, bridges, dams and buildings are safe for staff and public recreation in the Allagash Wilderness Waterway.

**OTHER SPECIAL REVENUE FUNDS**

	2017-18	2018-19
All Other	\$10,000	\$10,000
Capital Expenditures	\$60,000	\$60,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$70,000</b>	<b>\$70,000</b>

**Parks - General Operations Z221**

Initiative: Provides funding for improvements at state parks from increased revenues generated by the sale of merchandise with park logos, the rental of recreational equipment and the sale of firewood and ice.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$30,000	\$30,000
Capital Expenditures	\$50,000	\$50,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$80,000	\$80,000

**Parks - General Operations Z221**

Initiative: Eliminates one vacant Historic Site Specialist position.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$81,757)	(\$85,655)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$81,757)	(\$85,655)

**Parks - General Operations Z221**

Initiative: Provides funding for credit card fees to comply with state requirements. Accepting credit cards is expected to generate \$48,000 in additional revenue.

GENERAL FUND	2017-18	2018-19
All Other	\$64,000	\$64,000
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$64,000	\$64,000

**Parks - General Operations Z221**

Initiative: Provides one-time funding for projects at state park facilities to comply with the federal Americans with Disabilities Act.

GENERAL FUND	2017-18	2018-19
All Other	\$125,000	\$125,000
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$125,000	\$125,000

**Parks - General Operations Z221**

Initiative: Transfers and reallocates the cost of multiple positions from the Parks - General Operations program, General Fund and the Land Management and Planning program, Other Special Revenue Funds to the Parks - General Operations program, General Fund, the Land Management and Planning program, Other Special Revenue Funds and the Maine State Parks Development Fund program, Other Special Revenue Funds to align work effort with the appropriate funding.

GENERAL FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$36,959)	(\$40,760)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$36,959)	(\$40,760)

**Parks - General Operations Z221**

Initiative: Reallocates one Director, Bureau of Parks and Lands position from 50% General Fund in the Parks - General Operations program and 50% Other Special Revenue Funds in the Land Management and Planning program to 100% General Fund in the Parks - General Operations program and reduces funding for related All Other costs.

GENERAL FUND	2017-18	2018-19
Personal Services	\$84,611	\$87,472
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$84,611	\$87,472

**Parks - General Operations Z221**

Initiative: Reallocates the cost of one Supervisor Outdoor Recreation position from 50% General Fund and 50% Federal Expenditures Fund to 20% General Fund and 80% Federal Expenditures Fund within the same program.

GENERAL FUND	2017-18	2018-19
Personal Services	(\$30,441)	(\$30,703)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$30,441)	(\$30,703)

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$30,441	\$30,703
All Other	\$1,150	\$1,161
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$31,591	\$31,864

**Parks - General Operations Z221**

Initiative: Adjusts funding for office lease fees at the Dorothea Dix Psychiatric Center.

GENERAL FUND	2017-18	2018-19
All Other	\$1,350	\$3,645
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$1,350	\$3,645

**Parks - General Operations Z221**

Initiative: Reduces funding to align allocation with anticipated resources.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$200,000)	(\$200,000)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$200,000)</b>	<b>(\$200,000)</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$100,000)	(\$100,000)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$100,000)</b>	<b>(\$100,000)</b>

**Parks - General Operations Z221**

Initiative: Reorganizes one 19-week Customer Representative Associate I position and one 33-week Customer Representative Associated I position to one full-time Customer Representative Associate I position.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	(1.000)	(1.000)
Personal Services	\$6,913	\$7,241
<b>GENERAL FUND TOTAL</b>	<b>\$6,913</b>	<b>\$7,241</b>

**Parks - General Operations Z221**

Initiative: Eliminates 12 seasonal full-time Assistant Park Ranger positions and 12 seasonal full-time Laborer I positions and transfers funding to All Other to fund contracted services for maintenance at state parks.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(6.079)	(6.079)
Personal Services	(\$209,100)	(\$211,447)
All Other	\$209,100	\$211,447
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**PARKS - GENERAL OPERATIONS Z221 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	36.921	36.921
POSITIONS - FTE COUNT	77.735	77.735
Personal Services	\$6,943,011	\$7,102,030
All Other	\$1,081,383	\$1,086,025
<b>GENERAL FUND TOTAL</b>	<b>\$8,024,394</b>	<b>\$8,188,055</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$81,372	\$82,073
All Other	\$1,772,978	\$1,772,989
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,854,350</b>	<b>\$1,855,062</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - FTE COUNT	0.923	0.923
Personal Services	\$56,027	\$58,377
All Other	\$494,208	\$494,208
Capital Expenditures	\$110,000	\$110,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$660,235</b>	<b>\$662,585</b>

**Pesticides Control - Board of 0287**

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	2.018	2.018
Personal Services	\$226,556	\$234,081
All Other	\$211,630	\$211,630
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$438,186</b>	<b>\$445,711</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	13.000	13.000

POSITIONS - FTE COUNT	1.893	1.893
Personal Services	\$1,301,695	\$1,326,758
All Other	\$369,537	\$369,537
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,671,232</b>	<b>\$1,696,295</b>

POSITIONS - FTE COUNT	2.018	2.018
Personal Services	\$226,556	\$234,081
All Other	\$211,630	\$211,630
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$438,186</b>	<b>\$445,711</b>

**Pesticides Control - Board of 0287**

Initiative: Provides funding to support the Maine Center for Disease Control and Prevention in conducting surveillance for mosquito-borne diseases to protect public health.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$30,000	\$30,000

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$30,000</b>	<b>\$30,000</b>
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**OTHER SPECIAL  
REVENUE FUNDS**

	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
POSITIONS - FTE COUNT	1.893	1.893
Personal Services	\$1,301,695	\$1,326,758
All Other	\$438,576	\$438,576

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,740,271</b>	<b>\$1,765,334</b>
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**Pesticides Control - Board of 0287**

Initiative: Provides funding for contracts for temporary services.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$38,539	\$38,539

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$38,539</b>	<b>\$38,539</b>
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**Potato Quality Control - Reducing Inspection Costs 0459**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$74,676	\$74,676

<b>GENERAL FUND TOTAL</b>	<b>\$74,676</b>	<b>\$74,676</b>
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**Pesticides Control - Board of 0287**

Initiative: Transfers All Other funding from the Maine Mosquito Management Fund program to the Board of Pesticides Control program within the same fund.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>
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**Potato Quality Control - Reducing Inspection Costs 0459**

Initiative: Transfers All Other funding from the Potato Quality Control - Reducing Inspection Costs program to the existing Division of Quality Assurance and Regulation program to create the new Bureau of Agriculture program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$74,676)	(\$74,676)

<b>GENERAL FUND TOTAL</b>	<b>(\$74,676)</b>	<b>(\$74,676)</b>
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**PESTICIDES CONTROL - BOARD OF 0287**

**PROGRAM SUMMARY**

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000

**POTATO QUALITY CONTROL - REDUCING  
INSPECTION COSTS 0459**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0

<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>
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**Rural Rehabilitation 0894**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$16,316	\$16,316
	\$16,316	\$16,316
OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,316	\$16,316

**Rural Rehabilitation 0894**

Initiative: Transfers All Other funding from the Rural Rehabilitation program to the existing Division of Quality Assurance and Regulation program to create the new Bureau of Agriculture program.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$16,316)	(\$16,316)
	(\$16,316)	(\$16,316)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$16,316)	(\$16,316)

**RURAL REHABILITATION 0894**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$0	\$0
	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$32,757,182	\$33,133,808
FEDERAL EXPENDITURES FUND	\$12,619,390	\$12,745,441
OTHER SPECIAL REVENUE FUNDS	\$54,851,174	\$55,211,965
FEDERAL BLOCK GRANT FUND	\$600,000	\$600,000
	\$100,827,746	\$101,691,214
DEPARTMENT TOTAL - ALL FUNDS	\$100,827,746	\$101,691,214

**Sec. A-3. Appropriations and allocations.**

The following appropriations and allocations are made.

**ARTS COMMISSION, MAINE**

**Arts - Administration 0178**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$600,088	\$609,167
All Other	\$318,661	\$318,661
	\$918,749	\$927,828
GENERAL FUND TOTAL	\$918,749	\$927,828

**Arts - Administration 0178**

Initiative: Provides funding for an increase in technology costs.

GENERAL FUND	2017-18	2018-19
All Other	\$16,993	\$18,922
	\$16,993	\$18,922
GENERAL FUND TOTAL	\$16,993	\$18,922

**ARTS - ADMINISTRATION 0178**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$600,088	\$609,167
All Other	\$335,654	\$337,583
	\$935,742	\$946,750
GENERAL FUND TOTAL	\$935,742	\$946,750

**Arts - General Grants Program 0177**

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$357,051	\$357,051
	\$357,051	\$357,051
FEDERAL EXPENDITURES FUND TOTAL	\$357,051	\$357,051

**ARTS - GENERAL GRANTS PROGRAM 0177**

**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$357,051	\$357,051

FEDERAL EXPENDITURES FUND TOTAL	\$357,051	\$357,051
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FEDERAL EXPENDITURES FUND	\$1,009,703	\$1,015,165
OTHER SPECIAL REVENUE FUNDS	\$102,168	\$102,168

**Arts - Sponsored Program 0176**

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$355,471	\$360,933
All Other	\$297,181	\$297,181

FEDERAL EXPENDITURES FUND TOTAL	\$652,652	\$658,114
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$102,168	\$102,168

OTHER SPECIAL REVENUE FUNDS TOTAL	\$102,168	\$102,168
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**ARTS - SPONSORED PROGRAM 0176 PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$355,471	\$360,933
All Other	\$297,181	\$297,181

FEDERAL EXPENDITURES FUND TOTAL	\$652,652	\$658,114
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$102,168	\$102,168

OTHER SPECIAL REVENUE FUNDS TOTAL	\$102,168	\$102,168
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**ARTS COMMISSION, MAINE**

DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$935,742	\$946,750

DEPARTMENT TOTAL - ALL FUNDS	\$2,047,613	\$2,064,083
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**Sec. A-4. Appropriations and allocations.**  
The following appropriations and allocations are made.

**ATTORNEY GENERAL, DEPARTMENT OF THE**

**Administration - Attorney General 0310**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	60.000	60.000
Personal Services	\$6,479,080	\$6,711,366
All Other	\$681,766	\$681,766

GENERAL FUND TOTAL	\$7,160,846	\$7,393,132
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$977,695	\$1,011,421
All Other	\$253,691	\$253,691

FEDERAL EXPENDITURES FUND TOTAL	\$1,231,386	\$1,265,112
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	46.500	46.500
Personal Services	\$5,948,269	\$6,211,571
All Other	\$917,610	\$917,634

OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,865,879	\$7,129,205
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**Administration - Attorney General 0310**

Initiative: Provides funding for Department of Administrative and Financial Services, Office of Information Technology rate increases and computer replacements.

GENERAL FUND	2017-18	2018-19
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All Other	\$7,215	\$3,815
<b>GENERAL FUND TOTAL</b>	<b>\$7,215</b>	<b>\$3,815</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$5,712	\$5,712
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$5,712</b>	<b>\$5,712</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$7,329	\$4,781
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$7,329</b>	<b>\$4,781</b>

**Administration - Attorney General 0310**

Initiative: Transfers All Other to Personal Services to allocate grant-related personnel costs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$250,827	\$263,368
All Other	(\$250,827)	(\$263,368)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Administration - Attorney General 0310**

Initiative: Provides one-time funding to transition Office of the Attorney General satellite offices from analog to digital phone systems.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$3,900	\$7,100
Capital Expenditures	\$40,000	\$80,000
<b>GENERAL FUND TOTAL</b>	<b>\$43,900</b>	<b>\$87,100</b>

**Administration - Attorney General 0310**

Initiative: Provides funding for the approved reorganization of one Secretary Associate Legal position to a Secretary Specialist Supervisor position.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$6,720	\$7,140
<b>GENERAL FUND TOTAL</b>	<b>\$6,720</b>	<b>\$7,140</b>

**ADMINISTRATION - ATTORNEY GENERAL 0310**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	60.000	60.000
Personal Services	\$6,485,800	\$6,718,506
All Other	\$692,881	\$692,681
Capital Expenditures	\$40,000	\$80,000
<b>GENERAL FUND TOTAL</b>	<b>\$7,218,681</b>	<b>\$7,491,187</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$977,695	\$1,011,421
All Other	\$259,403	\$259,403
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,237,098</b>	<b>\$1,270,824</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	46.500	46.500
Personal Services	\$6,199,096	\$6,474,939
All Other	\$674,112	\$659,047
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$6,873,208</b>	<b>\$7,133,986</b>

**Chief Medical Examiner - Office of 0412**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,287,233	\$1,323,839
All Other	\$613,461	\$613,461
<b>GENERAL FUND TOTAL</b>	<b>\$1,900,694</b>	<b>\$1,937,300</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$21,279	\$22,245
All Other	\$189,803	\$189,803

FEDERAL EXPENDITURES	\$211,082	\$212,048
FUND TOTAL		

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$14,993	\$14,993

OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,993	\$14,993
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**Chief Medical Examiner - Office of 0412**

Initiative: Provides funding to bring allocation in line with current revenue projections.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$49,900	\$49,900

OTHER SPECIAL REVENUE FUNDS TOTAL	\$49,900	\$49,900
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**Chief Medical Examiner - Office of 0412**

Initiative: Provides funding for toxicology screenings related to autopsies performed by the pathologists in the Office of the Chief Medical Examiner.

GENERAL FUND	2017-18	2018-19
All Other	\$150,000	\$150,000

GENERAL FUND TOTAL	\$150,000	\$150,000
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**Chief Medical Examiner - Office of 0412**

Initiative: Provides funding for the after hours telephone answering service contract with the Office of the Chief Medical Examiner.

GENERAL FUND	2017-18	2018-19
All Other	\$35,000	\$35,000

GENERAL FUND TOTAL	\$35,000	\$35,000
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**Chief Medical Examiner - Office of 0412**

Initiative: Provides one-time funding for contracted forensic pathologists.

GENERAL FUND	2017-18	2018-19
All Other	\$34,500	\$34,500

GENERAL FUND TOTAL	\$34,500	\$34,500
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**Chief Medical Examiner - Office of 0412**

Initiative: Provides funding for the National Association of Medical Examiners accreditation of the Office of the Chief Medical Examiner.

GENERAL FUND	2017-18	2018-19
All Other	\$6,000	\$6,000

GENERAL FUND TOTAL	\$6,000	\$6,000
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**Chief Medical Examiner - Office of 0412**

Initiative: Provides funding to increase the fee paid to nonsalaried medical examiners and medicolegal death investigators.

GENERAL FUND	2017-18	2018-19
All Other	\$11,000	\$11,000

GENERAL FUND TOTAL	\$11,000	\$11,000
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**Chief Medical Examiner - Office of 0412**

Initiative: Provides funding for the approved reorganization of 9 positions within the Office of the Chief Medical Examiner program. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2017-18	2018-19
Personal Services	\$72,134	\$75,680

GENERAL FUND TOTAL	\$72,134	\$75,680
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**Chief Medical Examiner - Office of 0412**

Initiative: Provides funding to adjust the salary of one Deputy Chief Medical Examiner position.

GENERAL FUND	2017-18	2018-19
Personal Services	\$19,843	\$30,430

GENERAL FUND TOTAL	\$19,843	\$30,430
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**Chief Medical Examiner - Office of 0412**

Initiative: Provides funding for the approved range change of 2 Medical Examiner Assistant positions from range 16 to range 19.

GENERAL FUND	2017-18	2018-19
Personal Services	\$11,754	\$12,285

GENERAL FUND TOTAL	\$11,754	\$12,285
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**Chief Medical Examiner - Office of 0412**

Initiative: Provides funding for the approved range change of of one Senior Forensic Medicine Technician position from range 19 to range 22.

GENERAL FUND	2017-18	2018-19
Personal Services	\$12,683	\$12,990
<b>GENERAL FUND TOTAL</b>	<b>\$12,683</b>	<b>\$12,990</b>

**CHIEF MEDICAL EXAMINER - OFFICE OF 0412**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,403,647	\$1,455,224
All Other	\$849,961	\$849,961
<b>GENERAL FUND TOTAL</b>	<b>\$2,253,608</b>	<b>\$2,305,185</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$21,279	\$22,245
All Other	\$189,803	\$189,803
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$211,082</b>	<b>\$212,048</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$64,893	\$64,893
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$64,893</b>	<b>\$64,893</b>

**Civil Rights 0039**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$179,396	\$184,748
All Other	\$94,698	\$94,698
<b>GENERAL FUND TOTAL</b>	<b>\$274,094</b>	<b>\$279,446</b>

**Civil Rights 0039**

Initiative: Provides funding for Department of Administrative and Financial Services, Office of Information Technology rate increases and computer replacements.

GENERAL FUND	2017-18	2018-19
All Other	\$1,224	\$1,224
<b>GENERAL FUND TOTAL</b>	<b>\$1,224</b>	<b>\$1,224</b>

**CIVIL RIGHTS 0039 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$179,396	\$184,748
All Other	\$95,922	\$95,922
<b>GENERAL FUND TOTAL</b>	<b>\$275,318</b>	<b>\$280,670</b>

**District Attorneys Salaries 0409**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	93.500	93.500
Personal Services	\$11,213,673	\$11,701,029
<b>GENERAL FUND TOTAL</b>	<b>\$11,213,673</b>	<b>\$11,701,029</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$90,659	\$94,915
All Other	\$8,244	\$8,244
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$98,903</b>	<b>\$103,159</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.500	1.500
Personal Services	\$120,280	\$125,792
All Other	\$11,157	\$11,157
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$131,437</b>	<b>\$136,949</b>

**District Attorneys Salaries 0409**

Initiative: Provides funding to restore Personal Services related to the reduction for attrition savings in the District Attorneys Salaries program.

GENERAL FUND	2017-18	2018-19
Personal Services	\$164,178	\$171,227
<b>GENERAL FUND TOTAL</b>	<b>\$164,178</b>	<b>\$171,227</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$923	\$965
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$923</b>	<b>\$965</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$1,501	\$1,569
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,501</b>	<b>\$1,569</b>

**District Attorneys Salaries 0409**

Initiative: Continues 2 Assistant District Attorney positions and 2 part-time Assistant District Attorney positions previously authorized by Financial Order 003826 F7 and continues 2 Assistant District Attorney positions previously authorized by Financial Order 004037 F7. Also provides funding for related All Other costs.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$491,210	\$518,782
All Other	\$52,863	\$46,961
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$544,073</b>	<b>\$565,743</b>

**District Attorneys Salaries 0409**

Initiative: Establishes 4 Assistant District Attorney positions.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	4.000
Personal Services	\$0	\$414,772

GENERAL FUND TOTAL	\$0	\$414,772
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**DISTRICT ATTORNEYS SALARIES 0409 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	93.500	97.500
Personal Services	\$11,377,851	\$12,287,028
<b>GENERAL FUND TOTAL</b>	<b>\$11,377,851</b>	<b>\$12,287,028</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$582,792	\$614,662
All Other	\$61,107	\$55,205
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$643,899</b>	<b>\$669,867</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.500	1.500
Personal Services	\$121,781	\$127,361
All Other	\$11,157	\$11,157
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$132,938</b>	<b>\$138,518</b>

**FHM - Attorney General 0947**

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$121,765	\$127,517
All Other	\$19,628	\$19,628
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$141,393</b>	<b>\$147,145</b>

**FHM - ATTORNEY GENERAL 0947 PROGRAM SUMMARY**

<b>FUND FOR A HEALTHY MAINE</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$121,765	\$127,517
All Other	\$19,628	\$19,628
	<hr/>	<hr/>
FUND FOR A HEALTHY MAINE TOTAL	\$141,393	\$147,145

**Human Services Division 0696**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	71.000	71.000
Personal Services	\$7,389,913	\$7,716,929
All Other	\$1,041,441	\$1,041,441
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,431,354	\$8,758,370

**Human Services Division 0696**

Initiative: Provides funding to increase the hours of one part-time Assistant Attorney General position from 40 hours to 80 hours biweekly and related All Other costs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$50,027	\$52,376
All Other	\$3,058	\$3,116
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$53,085	\$55,492

**Human Services Division 0696**

Initiative: Provides funding for Department of Administrative and Financial Services, Office of Information Technology rate increases and computer replacements.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$48,156	\$95,288
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$48,156	\$95,288

**Human Services Division 0696**

Initiative: Provides funding for the federal Food and Drug Administration retail tobacco compliance check inspections at youth-accessible tobacco retailers state-wide.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$153,690	\$153,690
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$153,690	\$153,690

**Human Services Division 0696**

Initiative: Establishes one Assistant Attorney General position and one Research Assistant MSEA - B position dedicated to welfare fraud and provides funding for related All Other costs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$177,061	\$185,620
All Other	\$15,431	\$12,058
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$192,492	\$197,678

**Human Services Division 0696**

Initiative: Provides funding for the reorganization of one Secretary Legal position to a Secretary Associate Legal position dedicated to child support, child protection and health and human services divisions and related All Other costs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$2,360	\$4,755
All Other	\$112	\$166
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,472	\$4,921

**Human Services Division 0696**

Initiative: Continues one Research Assistant MSEA - B - Victim Witness Advocate position previously authorized by Financial Order 003860 F7 dedicated to assisting victims of violent crime and provides funding for related All Other costs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000

Personal Services	\$77,995	\$81,441
All Other	\$16,628	\$16,728
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$94,623	\$98,169

**HUMAN SERVICES DIVISION 0696  
PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	74.500	74.500
Personal Services	\$7,697,356	\$8,041,121
All Other	\$1,278,516	\$1,322,487
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$8,975,872	\$9,363,608

**Victims' Compensation Board 0711**

Initiative: BASELINE BUDGET

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$225,549	\$225,549
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$225,549	\$225,549

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$224,963	\$233,324
All Other	\$599,418	\$599,418
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$824,381	\$832,742

**VICTIMS' COMPENSATION BOARD 0711**

**PROGRAM SUMMARY**

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$225,549	\$225,549
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$225,549	\$225,549

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$224,963	\$233,324
All Other	\$599,418	\$599,418
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$824,381	\$832,742

<b>ATTORNEY GENERAL, DEPARTMENT OF THE DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	<b>\$21,125,458</b>	<b>\$22,364,070</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$2,317,628</b>	<b>\$2,378,288</b>
<b>FUND FOR A HEALTHY MAINE</b>	<b>\$141,393</b>	<b>\$147,145</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$16,871,292</b>	<b>\$17,533,747</b>

<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$40,455,771</b>	<b>\$42,423,250</b>
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**Sec. A-5. Appropriations and allocations.**  
The following appropriations and allocations are made.

**AUDITOR, OFFICE OF THE STATE**

**Audit - Departmental Bureau 0067**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,621,677	\$1,657,628
All Other	\$32,049	\$32,049
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$1,653,726	\$1,689,677

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	20.000	20.000
Personal Services	\$1,925,713	\$1,974,496
All Other	\$226,215	\$226,215
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,151,928	\$2,200,711

**Audit - Departmental Bureau 0067**

Initiative: Provides funding to align allocations with projected available resources to be used for staff training purposes.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Audit - Departmental Bureau 0067**

Initiative: Reallocates the cost of one Office Associate II position from 100% Audit - Unorganized Territory program, Other Special Revenue Funds to 50% Audit - Unorganized Territory program, Other Special Revenue Funds and 50% Audit - Departmental Bureau program, General Fund.

GENERAL FUND	2017-18	2018-19
Personal Services	\$30,413	\$31,996
<b>GENERAL FUND TOTAL</b>	<b>\$30,413</b>	<b>\$31,996</b>

**Audit - Departmental Bureau 0067**

Initiative: Provides funding for the incremental cost to the Office of the State Auditor to fully utilize the services of the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2017-18	2018-19
All Other	\$20,123	\$20,629
<b>GENERAL FUND TOTAL</b>	<b>\$20,123</b>	<b>\$20,629</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$26,786	\$27,482
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$26,786</b>	<b>\$27,482</b>

**AUDIT - DEPARTMENTAL BUREAU 0067 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,652,090	\$1,689,624
All Other	\$52,172	\$52,678

GENERAL FUND TOTAL	2017-18	2018-19
	\$1,704,262	\$1,742,302
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	20.000	20.000
Personal Services	\$1,925,713	\$1,974,496
All Other	\$253,501	\$254,197
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,179,214</b>	<b>\$2,228,693</b>

**Audit - Unorganized Territory 0075**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$174,847	\$178,688
All Other	\$78,821	\$78,821
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$253,668</b>	<b>\$257,509</b>

**Audit - Unorganized Territory 0075**

Initiative: Reallocates the cost of one Office Associate II position from 100% Audit - Unorganized Territory program, Other Special Revenue Funds to 50% Audit - Unorganized Territory program, Other Special Revenue Funds and 50% Audit - Departmental Bureau program, General Fund.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	(\$30,413)	(\$31,996)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$30,413)</b>	<b>(\$31,996)</b>

**Audit - Unorganized Territory 0075**

Initiative: Provides funding for increased payments to the Passamaquoddy Tribe for municipal services resulting from an increase in assessed valuations for the unorganized territory.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$269	\$527

OTHER SPECIAL	\$269	\$527
REVENUE FUNDS TOTAL		

**Audit - Unorganized Territory 0075**

Initiative: Provides funding for the incremental cost to the Office of the State Auditor to fully utilize the services of the Department of Administrative and Financial Services, Office of Information Technology.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,986	\$2,037
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,986	\$2,037

**AUDIT - UNORGANIZED TERRITORY 0075 PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$144,434	\$146,692
All Other	\$81,076	\$81,385
OTHER SPECIAL REVENUE FUNDS TOTAL	\$225,510	\$228,077

**AUDITOR, OFFICE OF THE STATE**

<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
GENERAL FUND	\$1,704,262	\$1,742,302
OTHER SPECIAL REVENUE FUNDS	\$2,404,724	\$2,456,770
DEPARTMENT TOTAL - ALL FUNDS	\$4,108,986	\$4,199,072

**Sec. A-6. Appropriations and allocations.**

The following appropriations and allocations are made.

**BAXTER STATE PARK AUTHORITY**

**Baxter State Park Authority 0253**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COUNT	21.500	21.500
POSITIONS - FTE COUNT	18.809	18.809
Personal Services	\$2,630,548	\$2,709,828
All Other	\$1,051,233	\$1,051,233

OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,681,781	\$3,761,061
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**Baxter State Park Authority 0253**

Initiative: Provides funding for the approved reorganization of 6 Baxter Park Gatehouse Attendant positions to Baxter State Park Customer Representative positions and 4 Office Assistant II positions to Baxter State Park Customer Representative positions.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$13,503	\$15,825
OTHER SPECIAL REVENUE FUNDS TOTAL	\$13,503	\$15,825

**Baxter State Park Authority 0253**

Initiative: Provides funding to increase the hours of one Secretary position from 40 hours to 60 hours bi-weekly.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.500	0.500
Personal Services	\$11,569	\$12,114
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,569	\$12,114

**Baxter State Park Authority 0253**

Initiative: Provides funding for unemployment compensation costs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$46,000	\$46,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$46,000	\$46,000

**Baxter State Park Authority 0253**

Initiative: Provides funding to compensate for the increased need for casual labor.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$125,000	\$125,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$125,000	\$125,000

**Baxter State Park Authority 0253**

Initiative: Provides funding for 16% nonstandard differential pay for one Baxter Park Maintenance & Transportation Supervisor position as result of a memorandum of agreement between the Department of Administrative and Financial Services, Bureau of Human Resources and MSEA-SEIU.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$9,967	\$10,426
OTHER SPECIAL REVENUE FUNDS TOTAL	\$9,967	\$10,426

**Baxter State Park Authority 0253**

Initiative: Reorganizes one Carpenter position to a Baxter State Park Supervisory Carpenter position and transfers All Other to Personal Services to fund the reorganization.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$3,307	\$3,395
All Other	(\$3,307)	(\$3,395)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

**Baxter State Park Authority 0253**

Initiative: Reorganizes one Inventory and Property Associate I position to an Inventory and Property Associate II position and transfers All Other to Personal Services to fund the reorganization.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$4,265	\$4,280
All Other	(\$4,265)	(\$4,280)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

**BAXTER STATE PARK AUTHORITY 0253 PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
POSITIONS - FTE COUNT	18.809	18.809
Personal Services	\$2,719,159	\$2,801,868
All Other	\$1,168,661	\$1,168,558

OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,887,820	\$3,970,426
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**BAXTER STATE PARK AUTHORITY**

DEPARTMENT TOTALS	2017-18	2018-19
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OTHER SPECIAL REVENUE FUNDS	\$3,887,820	\$3,970,426
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DEPARTMENT TOTAL - ALL FUNDS	\$3,887,820	\$3,970,426
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**Sec. A-7. 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	2017-18	2018-19
All Other	\$1,875,000	\$1,875,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,875,000	\$1,875,000
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**BLUEBERRY COMMISSION 0375 PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$1,875,000	\$1,875,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,875,000	\$1,875,000
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**Sec. A-8. Appropriations and allocations.**  
The following appropriations and allocations are made.

**CENTERS FOR INNOVATION**

**Centers for Innovation 0911**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$118,009	\$118,009
<b>GENERAL FUND TOTAL</b>	<b>\$118,009</b>	<b>\$118,009</b>

**CENTERS FOR INNOVATION 0911**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$118,009	\$118,009
<b>GENERAL FUND TOTAL</b>	<b>\$118,009</b>	<b>\$118,009</b>

All Other	\$519,525	\$583,139
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$534,925</b>	<b>\$598,539</b>

**CHARTER SCHOOL COMMISSION, STATE**

**DEPARTMENT TOTALS**                      **2017-18**                      **2018-19**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$534,925</b>	<b>\$598,539</b>
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**DEPARTMENT TOTAL - ALL FUNDS**                      **\$534,925**                      **\$598,539**

**Sec. A-9. Appropriations and allocations.**

The following appropriations and allocations are made.

**CHARTER SCHOOL COMMISSION, STATE**

**Maine Charter School Commission Z137**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$12,100	\$12,100
All Other	\$286,306	\$286,306
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$298,406</b>	<b>\$298,406</b>

**Maine Charter School Commission Z137**

Initiative: Provides funding for per diem payments and other costs related to overseeing public charter schools.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$3,300	\$3,300
All Other	\$233,219	\$296,833
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$236,519</b>	<b>\$300,133</b>

**MAINE CHARTER SCHOOL COMMISSION Z137**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$15,400	\$15,400

**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	2017-18	2018-19
All Other	\$48,300	\$48,300
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$48,300</b>	<b>\$48,300</b>

**MAINE CHILDREN'S TRUST INCORPORATED 0798**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$48,300	\$48,300
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$48,300</b>	<b>\$48,300</b>

**Sec. A-11. Appropriations and allocations.**

The following appropriations and allocations are made.

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

**Bring College to ME Program Z168**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$320,000	\$320,000

GENERAL FUND TOTAL	\$320,000	\$320,000
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**Bring College to ME Program Z168**

Initiative: Transfers funding on a one-time basis from the Bring College to ME Program to the Maine Community College System - Board of Trustees program in fiscal year 2017-18.

GENERAL FUND	2017-18	2018-19
All Other	(\$320,000)	\$0
GENERAL FUND TOTAL	(\$320,000)	\$0

**Bring College to ME Program Z168**

Initiative: Reduces funding for the Bring College to ME Program in fiscal year 2018-19.

GENERAL FUND	2017-18	2018-19
All Other	\$0	(\$320,000)
GENERAL FUND TOTAL	\$0	(\$320,000)

**BRING COLLEGE TO ME PROGRAM Z168  
PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

**Community College System - Maine Quality Centers 0804**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$500,000	\$500,000
GENERAL FUND TOTAL	\$500,000	\$500,000

**Community College System - Maine Quality Centers 0804**

Initiative: Transfers Put ME to Work Program funds from the Community College System - Maine Quality Centers program to the Maine Community College System - Board of Trustees program.

GENERAL FUND	2017-18	2018-19
All Other	(\$500,000)	(\$500,000)
GENERAL FUND TOTAL	(\$500,000)	(\$500,000)

**COMMUNITY COLLEGE SYSTEM - MAINE QUALITY CENTERS 0804**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

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

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$61,138,536	\$61,138,536
GENERAL FUND TOTAL	\$61,138,536	\$61,138,536

**OTHER SPECIAL REVENUE FUNDS**

	2017-18	2018-19
All Other	\$3,422,121	\$3,422,121
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,422,121	\$3,422,121

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

Initiative: Provides funding to continue current operations at Maine's 7 community colleges.

GENERAL FUND	2017-18	2018-19
All Other	\$2,193,332	\$1,284,308
GENERAL FUND TOTAL	\$2,193,332	\$1,284,308

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

Initiative: Provides one-time funding for strategic initiatives related to occupational programming and statewide workforce development in fiscal years 2017-18 and 2018-19.

GENERAL FUND	2017-18	2018-19
All Other	\$1,000,000	\$1,000,000
GENERAL FUND TOTAL	\$1,000,000	\$1,000,000

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

Initiative: Transfers Put ME to Work Program funds from the Community College System - Maine Quality

Centers program to the Maine Community College System - Board of Trustees program.

GENERAL FUND	2017-18	2018-19
All Other	\$500,000	\$500,000
<b>GENERAL FUND TOTAL</b>	<b>\$500,000</b>	<b>\$500,000</b>

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

Initiative: Transfers funding on a one-time basis from the Bring College to ME Program to the Maine Community College System - Board of Trustees program in fiscal year 2017-18.

GENERAL FUND	2017-18	2018-19
All Other	\$320,000	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$320,000</b>	<b>\$0</b>

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

Initiative: Adjusts funding for scholarships due to increases anticipated by the Revenue Forecasting Committee in dedicated revenues from slot machine proceeds.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$118,833	\$142,549
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$118,833</b>	<b>\$142,549</b>

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

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$65,151,868	\$63,922,844
<b>GENERAL FUND TOTAL</b>	<b>\$65,151,868</b>	<b>\$63,922,844</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$3,540,954	\$3,564,670
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$3,540,954</b>	<b>\$3,564,670</b>

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

DEPARTMENT TOTALS	2017-18	2018-19
<b>GENERAL FUND</b>	<b>\$65,151,868</b>	<b>\$63,922,844</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$3,540,954</b>	<b>\$3,564,670</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$68,692,822</b>	<b>\$67,487,514</b>

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

**CONNECTME AUTHORITY**

**Municipal Gigabit Broadband Network Access Fund Z196**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Municipal Gigabit Broadband Network Access Fund Z196**

Initiative: Transfers funding from the Municipal Gigabit Broadband Network Access Fund program, Other Special Revenue Funds in the ConnectME Authority to the Department of Economic and Community Development, Office of Broadband Development program, Other Special Revenue Funds as part of the reorganization of the ConnectME Authority.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$500)	(\$500)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$500)</b>	<b>(\$500)</b>

**MUNICIPAL GIGABIT BROADBAND NETWORK ACCESS FUND Z196**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0
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<b>CONNECTICUT AUTHORITY</b>		
<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>

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

**CORRECTIONS, DEPARTMENT OF**

**Administration - Corrections 0141**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	49,000	49,000
Personal Services	\$5,144,068	\$5,266,419
All Other	\$8,505,811	\$8,505,811
<b>GENERAL FUND TOTAL</b>	<b>\$13,649,879</b>	<b>\$13,772,230</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$879,205	\$879,205
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$879,205</b>	<b>\$879,205</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$117,090	\$117,260
All Other	\$494,379	\$494,379
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$611,469</b>	<b>\$611,639</b>

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500,000	\$500,000

FEDERAL BLOCK GRANT FUND TOTAL	\$500,000	\$500,000
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**Administration - Corrections 0141**

Initiative: Transfers funding for Kennebec County from the Administration - Corrections program to the County Jail Operations Fund program within the same fund to be used for the same purpose.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$120,000)	(\$120,000)
<b>GENERAL FUND TOTAL</b>	<b>(\$120,000)</b>	<b>(\$120,000)</b>

**Administration - Corrections 0141**

Initiative: Transfers one Financial Analyst position and one Public Service Manager I position from the County Jail Operations Fund program to the Administration - Corrections program within the same fund.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$215,553	\$221,569
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$215,553</b>	<b>\$221,569</b>

**Administration - Corrections 0141**

Initiative: Provides funding for software charges from the Department of Administrative and Financial Services, Office of Information Technology.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$657,516	\$666,610
<b>GENERAL FUND TOTAL</b>	<b>\$657,516</b>	<b>\$666,610</b>

**Administration - Corrections 0141**

Initiative: Eliminates one vacant Office Assistant I position and one vacant Public Service Manager III position.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$177,356)	(\$186,229)
<b>GENERAL FUND TOTAL</b>	<b>(\$177,356)</b>	<b>(\$186,229)</b>

**ADMINISTRATION - CORRECTIONS 0141**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	47.000	47.000
Personal Services	\$4,966,712	\$5,080,190
All Other	\$9,043,327	\$9,052,421
<b>GENERAL FUND TOTAL</b>	<b>\$14,010,039</b>	<b>\$14,132,611</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$879,205	\$879,205
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$879,205</b>	<b>\$879,205</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$332,643	\$338,829
All Other	\$494,379	\$494,379
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$827,022</b>	<b>\$833,208</b>

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500,000	\$500,000
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$500,000</b>	<b>\$500,000</b>

**Adult Community Corrections 0124**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	113.500	113.500
Personal Services	\$10,111,416	\$10,342,387
All Other	\$1,296,123	\$1,296,123
<b>GENERAL FUND TOTAL</b>	<b>\$11,407,539</b>	<b>\$11,638,510</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.500	0.500

Personal Services	\$42,886	\$44,830
All Other	\$156,101	\$156,101

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$198,987</b>	<b>\$200,931</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$305,959	\$305,959

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$305,959</b>	<b>\$305,959</b>
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**Adult Community Corrections 0124**

Initiative: Provides funding for electronic monitoring of 150 inmates.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$91,140	\$95,348
All Other	\$328,500	\$328,500

<b>GENERAL FUND TOTAL</b>	<b>\$419,640</b>	<b>\$423,848</b>
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**ADULT COMMUNITY CORRECTIONS 0124**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	113.500	113.500
Personal Services	\$10,202,556	\$10,437,735
All Other	\$1,624,623	\$1,624,623

<b>GENERAL FUND TOTAL</b>	<b>\$11,827,179</b>	<b>\$12,062,358</b>
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<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.500	0.500

Personal Services	\$42,886	\$44,830
All Other	\$156,101	\$156,101

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$198,987</b>	<b>\$200,931</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$305,959	\$305,959

OTHER SPECIAL REVENUE FUNDS TOTAL	\$305,959	\$305,959
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**Bolduc Correctional Facility Z155**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	57,000	57,000
Personal Services	\$5,293,929	\$5,359,779
All Other	\$556,500	\$556,500
<b>GENERAL FUND TOTAL</b>	<b>\$5,850,429</b>	<b>\$5,916,279</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$8,340	\$8,340
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$8,340</b>	<b>\$8,340</b>

**Bolduc Correctional Facility Z155**

Initiative: Provides funding for increased operational costs due to expanded agricultural and wood harvesting operations.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$50,343	\$50,343
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$50,343</b>	<b>\$50,343</b>

**Bolduc Correctional Facility Z155**

Initiative: Eliminates one vacant Vocational Trades Instructor BS position.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$38,175)	(\$39,895)
<b>GENERAL FUND TOTAL</b>	<b>(\$38,175)</b>	<b>(\$39,895)</b>

**BOLDUC CORRECTIONAL FACILITY Z155**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	56,000	56,000

Personal Services	\$5,255,754	\$5,319,884
All Other	\$556,500	\$556,500
<b>GENERAL FUND TOTAL</b>	<b>\$5,812,254</b>	<b>\$5,876,384</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$58,683	\$58,683
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$58,683</b>	<b>\$58,683</b>

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

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$500	\$500
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**CAPITAL CONSTRUCTION/REPAIRS/IMPROVEMENTS - CORRECTIONS 0432**

**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$500	\$500
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Charleston Correctional Facility 0400**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	57,000	57,000
Personal Services	\$5,090,217	\$5,224,317
All Other	\$571,075	\$571,075
<b>GENERAL FUND TOTAL</b>	<b>\$5,661,292</b>	<b>\$5,795,392</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$52,436	\$52,436

OTHER SPECIAL	\$52,436	\$52,436
REVENUE FUNDS TOTAL		

**Charleston Correctional Facility 0400**

Initiative: Provides funding for increased operational costs due to expanded agricultural and wood harvesting operations.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$32,921	\$32,921
OTHER SPECIAL REVENUE FUNDS TOTAL	\$32,921	\$32,921

**Charleston Correctional Facility 0400**

Initiative: Transfers Personal Services and All Other funding from the Charleston Correctional Facility program to the Mountain View Youth Development Center program within the same fund.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(57,000)	(57,000)
Personal Services	(\$5,090,217)	(\$5,224,317)
All Other	(\$571,075)	(\$571,075)
GENERAL FUND TOTAL	(\$5,661,292)	(\$5,795,392)
OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$85,357)	(\$85,357)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$85,357)	(\$85,357)

**CHARLESTON CORRECTIONAL FACILITY 0400**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19

All Other	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

**Correctional Center 0162**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	289,000	289,000
Personal Services	\$25,708,215	\$26,473,237
All Other	\$2,432,684	\$2,432,684
GENERAL FUND TOTAL	\$28,140,899	\$28,905,921

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - FTE COUNT	0.488	0.488
Personal Services	\$49,783	\$51,568
All Other	\$60,971	\$60,971
FEDERAL EXPENDITURES FUND TOTAL	\$110,754	\$112,539

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$192,700	\$201,109
All Other	\$151,393	\$151,393
OTHER SPECIAL REVENUE FUNDS TOTAL	\$344,093	\$352,502

**Correctional Center 0162**

Initiative: Provides funding for the increased cost of repairs.

GENERAL FUND	2017-18	2018-19
All Other	\$118,150	\$125,038
GENERAL FUND TOTAL	\$118,150	\$125,038

**Correctional Center 0162**

Initiative: Transfers All Other funding from the Southern Maine Women's Reentry Center program to the Correctional Center program.

GENERAL FUND	2017-18	2018-19
All Other	\$310,700	\$310,700
<b>GENERAL FUND TOTAL</b>	<b>\$310,700</b>	<b>\$310,700</b>

**CORRECTIONAL CENTER 0162  
PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	289.000	289.000
Personal Services	\$25,708,215	\$26,473,237
All Other	\$2,861,534	\$2,868,422
<b>GENERAL FUND TOTAL</b>	<b>\$28,569,749</b>	<b>\$29,341,659</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - FTE COUNT	0.488	0.488
Personal Services	\$49,783	\$51,568
All Other	\$60,971	\$60,971

FEDERAL EXPENDITURES FUND TOTAL	\$110,754	\$112,539
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$192,700	\$201,109
All Other	\$151,393	\$151,393
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$344,093</b>	<b>\$352,502</b>

**Correctional Medical Services Fund 0286**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$24,197,157	\$24,197,157
<b>GENERAL FUND TOTAL</b>	<b>\$24,197,157</b>	<b>\$24,197,157</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$500	\$500

FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$11,914	\$11,914

OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,914	\$11,914
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**Correctional Medical Services Fund 0286**

Initiative: Provides funding for increases based on the most recent medical contract.

GENERAL FUND	2017-18	2018-19
All Other	\$877,530	\$1,692,458
<b>GENERAL FUND TOTAL</b>	<b>\$877,530</b>	<b>\$1,692,458</b>

**CORRECTIONAL MEDICAL SERVICES FUND 0286**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$25,074,687	\$25,889,615
<b>GENERAL FUND TOTAL</b>	<b>\$25,074,687</b>	<b>\$25,889,615</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$500	\$500
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$500</b>	<b>\$500</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$11,914	\$11,914

OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,914	\$11,914
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**Corrections Food Z177**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$4,147,713	\$4,147,713
<b>GENERAL FUND TOTAL</b>	<b>\$4,147,713</b>	<b>\$4,147,713</b>

**CORRECTIONS FOOD Z177**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$4,147,713	\$4,147,713
<b>GENERAL FUND TOTAL</b>	<b>\$4,147,713</b>	<b>\$4,147,713</b>

**Corrections Industries Z166**

Initiative: BASELINE BUDGET

PRISON INDUSTRIES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$561,574	\$574,489
All Other	\$1,973,828	\$1,973,828
<b>PRISON INDUSTRIES FUND TOTAL</b>	<b>\$2,535,402</b>	<b>\$2,548,317</b>

**CORRECTIONS INDUSTRIES Z166**

**PROGRAM SUMMARY**

PRISON INDUSTRIES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$561,574	\$574,489
All Other	\$1,973,828	\$1,973,828
<b>PRISON INDUSTRIES FUND TOTAL</b>	<b>\$2,535,402</b>	<b>\$2,548,317</b>

**County Jail Operations Fund Z194**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$12,202,104	\$12,202,104
<b>GENERAL FUND TOTAL</b>	<b>\$12,202,104</b>	<b>\$12,202,104</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$215,553	\$221,569
All Other	\$565,503	\$565,503

OTHER SPECIAL REVENUE FUNDS TOTAL	\$781,056	\$787,072
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**County Jail Operations Fund Z194**

Initiative: Transfers Personal Services and All Other funding for county jail operations in the Department of Corrections from the current County Jail Operations Fund program number to a new program number for the County Jail Operations Fund program within the same fund.

GENERAL FUND	2017-18	2018-19
All Other	(\$12,202,104)	(\$12,202,104)
<b>GENERAL FUND TOTAL</b>	<b>(\$12,202,104)</b>	<b>(\$12,202,104)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$215,553)	(\$221,569)
All Other	(\$565,503)	(\$565,503)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$781,056)	(\$787,072)
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**COUNTY JAIL OPERATIONS FUND Z194**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
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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**County Jails Operation Fund Z227**

Initiative: Transfers funding for Kennebec County from the Administration - Corrections program to the County Jail Operations Fund program within the same fund to be used for the same purpose.

GENERAL FUND	2017-18	2018-19
All Other	\$120,000	\$120,000
<b>GENERAL FUND TOTAL</b>	<b>\$120,000</b>	<b>\$120,000</b>

**County Jails Operation Fund Z227**

Initiative: Transfers one Financial Analyst position and one Public Service Manager I position from the County Jail Operations Fund program to the Administration - Corrections program within the same fund.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$215,553)	(\$221,569)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$215,553)</b>	<b>(\$221,569)</b>

**County Jails Operation Fund Z227**

Initiative: Transfers Personal Services and All Other funding for the county jail operations in the Department of Corrections from the current County Jail Operations Fund program number to a new program number for the County Jail Operations Fund program within the same fund.

GENERAL FUND	2017-18	2018-19
All Other	\$12,202,104	\$12,202,104
<b>GENERAL FUND TOTAL</b>	<b>\$12,202,104</b>	<b>\$12,202,104</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$215,553	\$221,569
All Other	\$565,503	\$565,503
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$781,056</b>	<b>\$787,072</b>

**County Jails Operation Fund Z227**

Initiative: Reduces funding in the County Jail Operations Fund program as of July 1, 2018.

GENERAL FUND	2017-18	2018-19
All Other	\$0	(\$12,202,104)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$12,202,104)</b>

**County Jails Operation Fund Z227**

Initiative: Provides funds to reimburse county and regional jails for costs incurred during fiscal year 2016-17.

GENERAL FUND	2017-18	2018-19
All Other	\$3,000,000	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$3,000,000</b>	<b>\$0</b>

**COUNTY JAILS OPERATION FUND Z227 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$15,322,104	\$120,000
<b>GENERAL FUND TOTAL</b>	<b>\$15,322,104</b>	<b>\$120,000</b>
OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$565,503	\$565,503
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$565,503</b>	<b>\$565,503</b>

**Departmentwide - Overtime 0032**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
Personal Services	\$1,104,950	\$1,104,950
<b>GENERAL FUND TOTAL</b>	<b>\$1,104,950</b>	<b>\$1,104,950</b>

**DEPARTMENTWIDE - OVERTIME 0032 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
Personal Services	\$1,104,950	\$1,104,950
<b>GENERAL FUND TOTAL</b>	<b>\$1,104,950</b>	<b>\$1,104,950</b>

**Downeast Correctional Facility 0542**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	51.000	51.000

Personal Services	\$4,718,189	\$4,849,665
All Other	\$596,977	\$596,977
<b>GENERAL FUND TOTAL</b>	<b>\$5,315,166</b>	<b>\$5,446,642</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$500</b>	<b>\$500</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$32,526	\$32,526
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$32,526</b>	<b>\$32,526</b>

**Downeast Correctional Facility 0542**

Initiative: Eliminates all positions and related All Other costs as a result of the proposed closing of the Downeast Correctional Facility as of June 30, 2018.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(51.000)
Personal Services	\$0	(\$4,849,665)
All Other	\$0	(\$596,977)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$5,446,642)</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	(\$500)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>(\$500)</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	(\$32,526)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$32,526)</b>

**DOWNEAST CORRECTIONAL FACILITY 0542**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COUNT	51.000	0.000
Personal Services	\$4,718,189	\$0
All Other	\$596,977	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$5,315,166</b>	<b>\$0</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$500</b>	<b>\$0</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$32,526	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$32,526</b>	<b>\$0</b>

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$32,526</b>	<b>\$0</b>
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**Justice - Planning, Projects and Statistics 0502**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$43,284	\$43,717
All Other	\$1,968	\$1,968
<b>GENERAL FUND TOTAL</b>	<b>\$45,252</b>	<b>\$45,685</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$191,953	\$196,763
All Other	\$688,760	\$688,760
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$880,713</b>	<b>\$885,523</b>

**JUSTICE - PLANNING, PROJECTS AND STATISTICS 0502**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$43,284	\$43,717
All Other	\$1,968	\$1,968

GENERAL FUND TOTAL	\$45,252	\$45,685
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$191,953	\$196,763
All Other	\$688,760	\$688,760
FEDERAL EXPENDITURES FUND TOTAL	\$880,713	\$885,523

**Juvenile Community Corrections 0892**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	78.000	78.000
Personal Services	\$7,186,826	\$7,350,983
All Other	\$4,436,339	\$4,436,339
GENERAL FUND TOTAL	\$11,623,165	\$11,787,322

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$90,032	\$90,032

FEDERAL EXPENDITURES FUND TOTAL	\$90,032	\$90,032
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$223,622	\$223,622

OTHER SPECIAL REVENUE FUNDS TOTAL	\$223,622	\$223,622
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**Juvenile Community Corrections 0892**

Initiative: Eliminates 5 Juvenile Community Reintegration Specialist positions, one Office Associate II position and one part-time Office Associate II position.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(6.500)	(6.500)
Personal Services	(\$510,570)	(\$527,803)
GENERAL FUND TOTAL	(\$510,570)	(\$527,803)

**JUVENILE COMMUNITY CORRECTIONS 0892 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	71.500	71.500
Personal Services	\$6,676,256	\$6,823,180
All Other	\$4,436,339	\$4,436,339
GENERAL FUND TOTAL	\$11,112,595	\$11,259,519

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$90,032	\$90,032

FEDERAL EXPENDITURES FUND TOTAL	\$90,032	\$90,032
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
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

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	171.000	171.000
POSITIONS - FTE COUNT	2.918	2.918
Personal Services	\$15,218,639	\$15,511,874
All Other	\$1,454,549	\$1,454,549

GENERAL FUND TOTAL	\$16,673,188	\$16,966,423
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<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$89,161	\$92,649
All Other	\$114,789	\$114,789

FEDERAL EXPENDITURES FUND TOTAL	\$203,950	\$207,438
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
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All Other	\$38,694	\$38,694
OTHER SPECIAL REVENUE FUNDS TOTAL	\$38,694	\$38,694

**Long Creek Youth Development Center 0163**

Initiative: Eliminates 6 Teacher MS Juvenile positions, 4 Teacher BS Juvenile positions and one Assistant Principal position.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(11.000)	(11.000)
Personal Services	(\$1,019,764)	(\$1,057,942)
<b>GENERAL FUND TOTAL</b>	<b>(\$1,019,764)</b>	<b>(\$1,057,942)</b>

**LONG CREEK YOUTH DEVELOPMENT CENTER 0163**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	160.000	160.000
POSITIONS - FTE COUNT	2.918	2.918
Personal Services	\$14,198,875	\$14,453,932
All Other	\$1,454,549	\$1,454,549
<b>GENERAL FUND TOTAL</b>	<b>\$15,653,424</b>	<b>\$15,908,481</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$89,161	\$92,649
All Other	\$114,789	\$114,789
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$203,950</b>	<b>\$207,438</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$38,694	\$38,694
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$38,694</b>	<b>\$38,694</b>

**Mountain View Youth Development Center 0857**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	114.500	114.500
Personal Services	\$10,311,274	\$10,503,715
All Other	\$1,299,033	\$1,299,033

<b>GENERAL FUND TOTAL</b>	<b>\$11,610,307</b>	<b>\$11,802,748</b>
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<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$179,045	\$185,848
All Other	\$73,408	\$73,408

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$252,453</b>	<b>\$259,256</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$51,540	\$51,540

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$51,540</b>	<b>\$51,540</b>
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**Mountain View Youth Development Center 0857**

Initiative: Eliminates one vacant Secretary Associate position, one vacant Office Associate II position and one vacant Director of Class and Collateral Services position.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$223,549)	(\$234,650)
<b>GENERAL FUND TOTAL</b>	<b>(\$223,549)</b>	<b>(\$234,650)</b>

**Mountain View Youth Development Center 0857**

Initiative: Transfers Personal Services and All Other funding from the Charleston Correctional Facility program to the Mountain View Youth Development Center program within the same fund.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	57.000	57.000
Personal Services	\$5,090,217	\$5,224,317
All Other	\$571,075	\$571,075

GENERAL FUND TOTAL	\$5,661,292	\$5,795,392
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$85,357	\$85,357
OTHER SPECIAL REVENUE FUNDS TOTAL	\$85,357	\$85,357

**Mountain View Youth Development Center 0857**

Initiative: Eliminates one vacant Office Associate II position, one vacant Education Specialist II position and one vacant Teacher BS Juvenile position as a result of proposed funding decreases from the Department of Education in this Act. These positions are currently funded by a financial order transfer from the Department of Education authorized in the Maine Revised Statutes, Title 20-A, section 15689-A, subsections 17 and 18.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
GENERAL FUND TOTAL	\$0	\$0

**MOUNTAIN VIEW YOUTH DEVELOPMENT CENTER 0857**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	165.500	165.500
Personal Services	\$15,177,942	\$15,493,382
All Other	\$1,870,108	\$1,870,108
GENERAL FUND TOTAL	\$17,048,050	\$17,363,490

**FEDERAL EXPENDITURES FUND**

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$179,045	\$185,848
All Other	\$73,408	\$73,408
FEDERAL EXPENDITURES FUND TOTAL	\$252,453	\$259,256

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$136,897	\$136,897
OTHER SPECIAL REVENUE FUNDS TOTAL	\$136,897	\$136,897

**Office of Victim Services 0046**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$314,686	\$319,900
All Other	\$11,702	\$11,702
GENERAL FUND TOTAL	\$326,388	\$331,602

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$14,974	\$14,974
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,974	\$14,974

**OFFICE OF VICTIM SERVICES 0046 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$314,686	\$319,900
All Other	\$11,702	\$11,702
GENERAL FUND TOTAL	\$326,388	\$331,602

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$14,974	\$14,974
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,974	\$14,974

**Parole Board 0123**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$1,650	\$1,650
All Other	\$2,828	\$2,828

GENERAL FUND TOTAL	\$4,478	\$4,478
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**PAROLE BOARD 0123  
PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
Personal Services	\$1,650	\$1,650
All Other	\$2,828	\$2,828
<b>GENERAL FUND TOTAL</b>	<b>\$4,478</b>	<b>\$4,478</b>

**Prisoner Boarding Program Z086**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$547,613	\$547,613
<b>GENERAL FUND TOTAL</b>	<b>\$547,613</b>	<b>\$547,613</b>

**Prisoner Boarding Program Z086**

Initiative: Eliminates the Prisoner Boarding Program in the Department of Corrections.

GENERAL FUND	2017-18	2018-19
All Other	(\$547,613)	(\$547,613)
<b>GENERAL FUND TOTAL</b>	<b>(\$547,613)</b>	<b>(\$547,613)</b>

**PRISONER BOARDING PROGRAM Z086  
PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Reserve for County Jail Operations N266**

Initiative: Allocates funds for county jail operations. These funds may not be transferred without legislative approval.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Unallocated	\$0	\$12,202,104
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$12,202,104</b>

**RESERVE FOR COUNTY JAIL OPERATIONS  
N266**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Unallocated	\$0	\$12,202,104
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$12,202,104</b>

**Southern Maine Women's Reentry Center Z156**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$310,700	\$310,700
<b>GENERAL FUND TOTAL</b>	<b>\$310,700</b>	<b>\$310,700</b>

**Southern Maine Women's Reentry Center Z156**

Initiative: Transfers All Other funding from the Southern Maine Women's Reentry Center program to the Correctional Center program.

GENERAL FUND	2017-18	2018-19
All Other	(\$310,700)	(\$310,700)
<b>GENERAL FUND TOTAL</b>	<b>(\$310,700)</b>	<b>(\$310,700)</b>

**SOUTHERN MAINE WOMEN'S REENTRY  
CENTER Z156**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**State Prison 0144**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	309.000	309.000
Personal Services	\$27,401,285	\$28,112,946
All Other	\$4,789,930	\$4,789,930
<b>GENERAL FUND TOTAL</b>	<b>\$32,191,215</b>	<b>\$32,902,876</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$500	\$500

FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$34,034	\$34,034
OTHER SPECIAL REVENUE FUNDS TOTAL	\$34,034	\$34,034

**STATE PRISON 0144 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	309,000	309,000
Personal Services	\$27,401,285	\$28,112,946
All Other	\$4,789,930	\$4,789,930
GENERAL FUND TOTAL	\$32,191,215	\$32,902,876

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$500	\$500
FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$34,034	\$34,034
OTHER SPECIAL REVENUE FUNDS TOTAL	\$34,034	\$34,034

CORRECTIONS, DEPARTMENT OF DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$187,565,243	\$170,491,421
FEDERAL EXPENDITURES FUND	\$2,618,094	\$2,636,424
OTHER SPECIAL REVENUE FUNDS	\$2,593,921	\$14,778,094
FEDERAL BLOCK GRANT FUND	\$500,000	\$500,000
PRISON INDUSTRIES FUND	\$2,535,402	\$2,548,317

DEPARTMENT TOTAL - ALL FUNDS	\$195,812,660	\$190,954,256
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**Sec. A-14. Appropriations and allocations.**  
The following appropriations and allocations are made.

**CORRECTIONS, STATE BOARD OF**

**Electronic Monitoring Fund - State Board of Corrections Z170**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

**Electronic Monitoring Fund - State Board of Corrections Z170**

Initiative: Eliminates funding for the Electronic Monitoring Fund program as a result of the repeal of this program in Public Law 2015, chapter 335, section 27.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$500)	(\$500)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$500)	(\$500)

**ELECTRONIC MONITORING FUND - STATE BOARD OF CORRECTIONS Z170**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

**CORRECTIONS, STATE BOARD OF**

DEPARTMENT TOTALS	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

**Sec. A-15. Appropriations and allocations.**

The following appropriations and allocations are made.

**CULTURAL AFFAIRS COUNCIL, MAINE STATE**

**New Century Program Fund 0904**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$39,445	\$39,445

<b>GENERAL FUND TOTAL</b>	<b>\$39,445</b>	<b>\$39,445</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$65,424	\$65,424

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$65,424</b>	<b>\$65,424</b>
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**New Century Program Fund 0904**

Initiative: Provides additional funds in fiscal year 2017-18 and fiscal year 2018-19 only for the planning and preparation of the State of Maine Bicentennial Celebration.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500,000	\$500,000

<b>GENERAL FUND TOTAL</b>	<b>\$500,000</b>	<b>\$500,000</b>
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**NEW CENTURY PROGRAM FUND 0904 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$539,445	\$539,445

<b>GENERAL FUND TOTAL</b>	<b>\$539,445</b>	<b>\$539,445</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$65,424	\$65,424

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$65,424</b>	<b>\$65,424</b>
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**CULTURAL AFFAIRS COUNCIL, MAINE STATE**

<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
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<b>GENERAL FUND</b>	<b>\$539,445</b>	<b>\$539,445</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$65,424</b>	<b>\$65,424</b>

<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$604,869</b>	<b>\$604,869</b>
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**Sec. A-16. Appropriations and allocations.**

The following appropriations and allocations are made.

**DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF**

**Administration - Defense, Veterans and Emergency Management 0109**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNCIL	2,000	2,000

Personal Services	\$206,057	\$207,590
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All Other	\$57,120	\$57,120
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<b>GENERAL FUND TOTAL</b>	<b>\$263,177</b>	<b>\$264,710</b>
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<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$100	\$100

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$100</b>	<b>\$100</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>
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**Administration - Defense, Veterans and Emergency Management 0109**

Initiative: Reallocates the cost of one Adjutant General position and one Deputy Commissioner, Defense, Veterans and Emergency Management position from 83.5% General Fund, Administration - Defense, Veterans and Emergency Management program and 16.5% Federal Expenditures Fund, Administration - Maine Emergency Management Agency program to 100% General Fund, Administration - Defense, Veterans and Emergency Management program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$40,718	\$41,022

GENERAL FUND TOTAL	\$40,718	\$41,022
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**Administration - Defense, Veterans and Emergency Management 0109**

Initiative: Reallocates technology costs for the Deputy Commissioner, Defense, Veterans and Emergency Management from 100% Federal Expenditures Fund in the Maine Emergency Management Agency program to 100% General Fund in the Administration - Defense, Veterans and Emergency Management program.

GENERAL FUND	2017-18	2018-19
All Other	\$5,000	\$5,000
<b>GENERAL FUND TOTAL</b>	<b>\$5,000</b>	<b>\$5,000</b>

**ADMINISTRATION - DEFENSE, VETERANS AND EMERGENCY MANAGEMENT 0109**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$246,775	\$248,612
All Other	\$62,120	\$62,120
<b>GENERAL FUND TOTAL</b>	<b>\$308,895</b>	<b>\$310,732</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$100	\$100
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$100</b>	<b>\$100</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Administration - Maine Emergency Management Agency 0214**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	11.000	11.000

Personal Services	\$586,361	\$597,656
All Other	\$118,819	\$118,819

GENERAL FUND TOTAL	\$705,180	\$716,475
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**FEDERAL EXPENDITURES FUND**

	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,747,393	\$1,783,215
All Other	\$31,483,566	\$31,483,566

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$33,230,959</b>	<b>\$33,266,781</b>
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**OTHER SPECIAL REVENUE FUNDS**

	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$235,991	\$242,807
All Other	\$477,412	\$477,412

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$713,403</b>	<b>\$720,219</b>
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**Administration - Maine Emergency Management Agency 0214**

Initiative: Reallocates the cost of one Adjutant General position and one Deputy Commissioner, Defense, Veterans and Emergency Management position from 83.5% General Fund, Administration - Defense, Veterans and Emergency Management program and 16.5% Federal Expenditures Fund, Administration - Maine Emergency Management Agency program to 100% General Fund, Administration - Defense, Veterans and Emergency Management program.

**FEDERAL EXPENDITURES FUND**

Personal Services	(\$40,718)	(\$41,022)
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<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$40,718)</b>	<b>(\$41,022)</b>
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**Administration - Maine Emergency Management Agency 0214**

Initiative: Reallocates technology costs for the Deputy Commissioner, Defense, Veterans and Emergency Management from 100% Federal Expenditures Fund in the Maine Emergency Management Agency program to 100% General Fund in the Administration -

Defense, Veterans and Emergency Management program.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$5,000)	(\$5,000)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$5,000)</b>	<b>(\$5,000)</b>

**Administration - Maine Emergency Management Agency 0214**

Initiative: Provides funding for the approved reorganization of one Contract/Grant Specialist position to a Senior Contract/Grant Specialist position, and also reallocates the cost of the position from 67% Federal Expenditures Fund and 33% General Fund to 70% Federal Expenditures Fund and 30% General Fund within the same program.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$7,454	\$10,260
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$7,454</b>	<b>\$10,260</b>

**Administration - Maine Emergency Management Agency 0214**

Initiative: Provides funding for the approved reorganization of one Planning and Research Assistant position to a Contract/Grant Specialist position and transfers All Other to Personal Services to fund the reorganization.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$5,410	\$5,699
All Other	(\$5,410)	(\$5,699)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Administration - Maine Emergency Management Agency 0214**

Initiative: Reduces funding to reflect anticipated resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$5,917)	(\$12,772)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$5,917)</b>	<b>(\$12,772)</b>

**ADMINISTRATION - MAINE EMERGENCY MANAGEMENT AGENCY 0214**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$586,361	\$597,656
All Other	\$118,819	\$118,819
<b>GENERAL FUND TOTAL</b>	<b>\$705,180</b>	<b>\$716,475</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,719,539	\$1,758,152
All Other	\$31,473,156	\$31,472,867
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$33,192,695</b>	<b>\$33,231,019</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$235,991	\$242,807
All Other	\$471,495	\$464,640
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$707,486</b>	<b>\$707,447</b>

**Emergency Response Operations 0918**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$53,635	\$53,712
All Other	\$17,275	\$17,275
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$70,910</b>	<b>\$70,987</b>

**Emergency Response Operations 0918**

Initiative: Reduces funding to reflect anticipated resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19

All Other	(\$2,117)	(\$3,802)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$2,117)</b>	<b>(\$3,802)</b>

**EMERGENCY RESPONSE OPERATIONS 0918  
PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$53,635	\$53,712
All Other	\$15,158	\$13,473
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$68,793</b>	<b>\$67,185</b>

**Loring Rebuild Facility 0843**

Initiative: BASELINE BUDGET

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$49,586,066	\$49,586,066
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$49,586,066</b>	<b>\$49,586,066</b>

**LORING REBUILD FACILITY 0843  
PROGRAM SUMMARY**

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$49,586,066	\$49,586,066
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$49,586,066</b>	<b>\$49,586,066</b>

**Maine National Guard Postsecondary Fund Z190**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500,000	\$500,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500,000</b>	<b>\$500,000</b>

**Maine National Guard Postsecondary Fund Z190**

Initiative: Reduces funding to reflect anticipated resources.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$499,500)	(\$499,500)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$499,500)</b>	<b>(\$499,500)</b>

**MAINE NATIONAL GUARD POSTSECONDARY FUND Z190**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Military Educational Benefits 0922**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$410,000	\$410,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$410,000</b>	<b>\$410,000</b>

**MILITARY EDUCATIONAL BENEFITS 0922  
PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$410,000	\$410,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$410,000</b>	<b>\$410,000</b>

**Military Training and Operations 0108**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$1,113,790	\$1,137,102
All Other	\$2,106,337	\$2,106,337
<b>GENERAL FUND TOTAL</b>	<b>\$3,220,127</b>	<b>\$3,243,439</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COUNT	124,000	124,000
Personal Services	\$9,072,347	\$9,306,529
All Other	\$12,469,095	\$12,469,095
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$21,541,442</b>	<b>\$21,775,624</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$86,856	\$87,806
All Other	\$490,991	\$490,991
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$577,847</b>	<b>\$578,797</b>

<b>MAINE MILITARY AUTHORITY ENTERPRISE FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$49,358,695	\$51,241,622
All Other	\$44,505,619	\$44,505,619
<b>MAINE MILITARY AUTHORITY ENTERPRISE FUND TOTAL</b>	<b>\$93,864,314</b>	<b>\$95,747,241</b>

**Military Training and Operations 0108**

Initiative: Provides funding for the approved reorganization of one Office Associate II position to a Secretary Associate position. Also transfers All Other to Personal Services in the General Fund to fund the reorganization.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$572	\$584
All Other	(\$572)	(\$584)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$2,292	\$2,338
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,292</b>	<b>\$2,338</b>

**Military Training and Operations 0108**

Initiative: Eliminates 8 vacant Military Security Police Officer positions.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(8,000)	(8,000)
Personal Services	(\$515,790)	(\$536,639)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$515,790)</b>	<b>(\$536,639)</b>

**Military Training and Operations 0108**

Initiative: Continues one Electronic Security Systems Supervisor position previously established by Financial Order 003598 F6 and continued in Financial Order 003819 F7 and transfers All Other to Personal Services to fund the position.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$81,026	\$85,063
All Other	(\$81,026)	(\$85,063)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Military Training and Operations 0108**

Initiative: Continues one Inventory and Property Associate II position previously established by Financial Order 003997 F7 and transfers All Other to Personal Services to fund the position.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$64,327	\$67,490
All Other	(\$64,327)	(\$67,490)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Military Training and Operations 0108**

Initiative: Provides funding to raise the stipend of the High Voltage Electrician positions from 3% to 20% and transfers All Other to Personal Services to fund the cost.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$20,394	\$21,025

All Other	(\$20,394)	(\$21,025)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$13,128	\$13,148
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$13,128</b>	<b>\$13,148</b>

**Military Training and Operations 0108**

Initiative: Provides funding to raise the stipend of the High Voltage Electrician Supervisor position from 3% to 20% and transfers All Other to Personal Services to fund the cost.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$2,786	\$2,791
All Other	(\$2,786)	(\$2,791)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$8,355	\$8,367
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$8,355</b>	<b>\$8,367</b>

**Military Training and Operations 0108**

Initiative: Reduces funding to reflect anticipated resources.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$3,717)	(\$3,773)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$3,717)</b>	<b>(\$3,773)</b>
<b>MAINE MILITARY AUTHORITY ENTERPRISE FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$230,679)	(\$1,639,753)
<b>MAINE MILITARY AUTHORITY ENTERPRISE FUND TOTAL</b>	<b>(\$230,679)</b>	<b>(\$1,639,753)</b>

**Military Training and Operations 0108**

Initiative: Provides funding for the approved reorganization of one Maintenance Mechanic position to a Building Mechanical Systems Specialist position.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$1,285	\$1,902
<b>GENERAL FUND TOTAL</b>	<b>\$1,285</b>	<b>\$1,902</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$3,845	\$5,710
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$3,845</b>	<b>\$5,710</b>

**Military Training and Operations 0108**

Initiative: Eliminates 4 vacant positions and related All Other from the STARBASE program, which ended in federal fiscal year 2014.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(4,000)	(4,000)
Personal Services	(\$310,597)	(\$324,319)
All Other	(\$49,150)	(\$49,150)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$359,747)</b>	<b>(\$373,469)</b>

**MILITARY TRAINING AND OPERATIONS 0108**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	11,000	11,000
Personal Services	\$1,138,827	\$1,163,404
All Other	\$2,082,585	\$2,081,937
<b>GENERAL FUND TOTAL</b>	<b>\$3,221,412</b>	<b>\$3,245,341</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	114,000	114,000
Personal Services	\$8,418,933	\$8,627,687
All Other	\$12,274,592	\$12,267,392

FEDERAL EXPENDITURES FUND TOTAL	\$20,693,525	\$20,895,079
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$86,856	\$87,806
All Other	\$487,274	\$487,218
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$574,130</b>	<b>\$575,024</b>
<b>MAINE MILITARY AUTHORITY ENTERPRISE FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$49,358,695	\$51,241,622
All Other	\$44,274,940	\$42,865,866
<b>MAINE MILITARY AUTHORITY ENTERPRISE FUND TOTAL</b>	<b>\$93,633,635</b>	<b>\$94,107,488</b>

**Stream Gaging Cooperative Program 0858**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$175,005	\$175,005
<b>GENERAL FUND TOTAL</b>	<b>\$175,005</b>	<b>\$175,005</b>

**STREAM GAGING COOPERATIVE PROGRAM  
0858**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$175,005	\$175,005
<b>GENERAL FUND TOTAL</b>	<b>\$175,005</b>	<b>\$175,005</b>

**Veterans Services 0110**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	41.000	41.000
Personal Services	\$2,841,680	\$2,932,510
All Other	\$1,028,665	\$1,028,665

GENERAL FUND TOTAL	\$3,870,345	\$3,961,175
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$131,494	\$137,279
All Other	\$142,092	\$142,092
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$273,586</b>	<b>\$279,371</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$376,343	\$376,343
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$376,343</b>	<b>\$376,343</b>

**Veterans Services 0110**

Initiative: Provides funding for the approved reorganization of one Office Associate II Supervisor position to an Office Specialist I Manager Supervisor position.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$3,457	\$5,770
<b>GENERAL FUND TOTAL</b>	<b>\$3,457</b>	<b>\$5,770</b>

**Veterans Services 0110**

Initiative: Provides funding for the approved reorganization of 2 Office Associate II positions to Office Specialist I positions.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$7,158	\$7,547
<b>GENERAL FUND TOTAL</b>	<b>\$7,158</b>	<b>\$7,547</b>

**Veterans Services 0110**

Initiative: Provides funding for the approved reorganization of one Office Associate II position to an Office Specialist I position.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$4,358	\$4,355
<b>GENERAL FUND TOTAL</b>	<b>\$4,358</b>	<b>\$4,355</b>

**Veterans Services 0110**

Initiative: Provides funding for the approved range change of one Supervisor Veterans Services position from range 26 to range 29.

GENERAL FUND	2017-18	2018-19
Personal Services	\$9,194	\$9,209
<b>GENERAL FUND TOTAL</b>	<b>\$9,194</b>	<b>\$9,209</b>

**Veterans Services 0110**

Initiative: Provides funding to replace 3 Kubota RTV900 4 wheelers used at the Maine Veterans Memorial Cemetery.

GENERAL FUND	2017-18	2018-19
Capital Expenditures	\$30,000	\$15,000
<b>GENERAL FUND TOTAL</b>	<b>\$30,000</b>	<b>\$15,000</b>

**VETERANS SERVICES 0110  
PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	41.000	41.000
Personal Services	\$2,865,847	\$2,959,391
All Other	\$1,028,665	\$1,028,665
Capital Expenditures	\$30,000	\$15,000
<b>GENERAL FUND TOTAL</b>	<b>\$3,924,512</b>	<b>\$4,003,056</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$131,494	\$137,279
All Other	\$142,092	\$142,092
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$273,586</b>	<b>\$279,371</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$376,343	\$376,343
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$376,343</b>	<b>\$376,343</b>

**DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF**

DEPARTMENT TOTALS	2017-18	2018-19
<b>GENERAL FUND</b>	<b>\$8,335,004</b>	<b>\$8,450,609</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$103,745,972</b>	<b>\$103,991,635</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$2,137,752</b>	<b>\$2,136,999</b>
<b>MAINE MILITARY AUTHORITY ENTERPRISE FUND</b>	<b>\$93,633,635</b>	<b>\$94,107,488</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$207,852,363</b>	<b>\$208,686,731</b>

**Sec. A-17. Appropriations and allocations.**  
The following appropriations and allocations are made.

**DEVELOPMENT FOUNDATION, MAINE**

**Development Foundation 0198**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$58,444	\$58,444
<b>GENERAL FUND TOTAL</b>	<b>\$58,444</b>	<b>\$58,444</b>

**DEVELOPMENT FOUNDATION 0198  
PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$58,444	\$58,444
<b>GENERAL FUND TOTAL</b>	<b>\$58,444</b>	<b>\$58,444</b>

**Sec. A-18. Appropriations and allocations.**  
The following appropriations and allocations are made.

**DIRIGO HEALTH**

**Dirigo Health Fund 0988**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$313,217	\$315,457
All Other	\$1,027,590	\$1,027,590

GENERAL FUND TOTAL	\$1,340,807	\$1,343,047
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**Dirigo Health Fund 0988**

Initiative: Reduces appropriation by \$175,000 annually.

GENERAL FUND	2017-18	2018-19
All Other	(\$175,000)	(\$175,000)
<b>GENERAL FUND TOTAL</b>	<b>(\$175,000)</b>	<b>(\$175,000)</b>

**DIRIGO HEALTH FUND 0988**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$313,217	\$315,457
All Other	\$852,590	\$852,590
<b>GENERAL FUND TOTAL</b>	<b>\$1,165,807</b>	<b>\$1,168,047</b>

**DIRIGO HEALTH**

DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$1,165,807	\$1,168,047
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$1,165,807</b>	<b>\$1,168,047</b>

**Sec. A-19. Appropriations and allocations.**

The following appropriations and allocations are made.

**DISABILITY RIGHTS CENTER**

**Disability Rights Center 0523**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$126,045	\$126,045
<b>GENERAL FUND TOTAL</b>	<b>\$126,045</b>	<b>\$126,045</b>

**DISABILITY RIGHTS CENTER 0523**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$126,045	\$126,045

GENERAL FUND TOTAL	\$126,045	\$126,045
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**Sec. A-20. Appropriations and allocations.**

The following appropriations and allocations are made.

**DOWNEAST INSTITUTE FOR APPLIED MARINE RESEARCH AND EDUCATION**

**Downeast Institute for Applied Marine Research and Education 0993**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$12,554	\$12,554
<b>GENERAL FUND TOTAL</b>	<b>\$12,554</b>	<b>\$12,554</b>

**DOWNEAST INSTITUTE FOR APPLIED MARINE RESEARCH AND EDUCATION 0993**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$12,554	\$12,554
<b>GENERAL FUND TOTAL</b>	<b>\$12,554</b>	<b>\$12,554</b>

**Sec. A-21. Appropriations and allocations.**

The following appropriations and allocations are made.

**ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF**

**Administration - Economic and Community Development 0069**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$525,219	\$533,382
All Other	\$1,006,048	\$1,006,048
<b>GENERAL FUND TOTAL</b>	<b>\$1,531,267</b>	<b>\$1,539,430</b>

**OTHER SPECIAL REVENUE FUNDS**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$30,000	\$30,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$30,000</b>	<b>\$30,000</b>

**Administration - Economic and Community Development 0069**

Initiative: Continues one limited-period Public Service Coordinator II position and provides funding for related All Other costs through December 31, 2018. This position was previously established by Financial Order 003360 F6 and continued by Financial Order 003824 F7.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$118,465	\$59,574
All Other	\$28,937	\$2,017
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$147,402</b>	<b>\$61,591</b>

**ADMINISTRATION - ECONOMIC AND COMMUNITY DEVELOPMENT 0069**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$525,219	\$533,382
All Other	\$1,006,048	\$1,006,048
<b>GENERAL FUND TOTAL</b>	<b>\$1,531,267</b>	<b>\$1,539,430</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$118,465	\$59,574
All Other	\$28,937	\$2,017
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$147,402</b>	<b>\$61,591</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$30,000	\$30,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$30,000</b>	<b>\$30,000</b>

**Applied Technology Development Center System 0929**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$178,838	\$178,838

GENERAL FUND TOTAL	2017-18	2018-19
	\$178,838	\$178,838

**Applied Technology Development Center System 0929**

Initiative: Reduces All Other funding on a one-time basis to offset Personal Services increases in the General Fund.

GENERAL FUND	2017-18	2018-19
All Other	(\$178,838)	(\$178,838)
<b>GENERAL FUND TOTAL</b>	<b>(\$178,838)</b>	<b>(\$178,838)</b>

**APPLIED TECHNOLOGY DEVELOPMENT CENTER SYSTEM 0929**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Business Development 0585**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$844,750	\$862,731
All Other	\$669,604	\$669,604
<b>GENERAL FUND TOTAL</b>	<b>\$1,514,354</b>	<b>\$1,532,335</b>

**BUSINESS DEVELOPMENT 0585**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$844,750	\$862,731
All Other	\$669,604	\$669,604
<b>GENERAL FUND TOTAL</b>	<b>\$1,514,354</b>	<b>\$1,532,335</b>

GENERAL FUND TOTAL	2017-18	2018-19
	\$1,514,354	\$1,532,335

**Communities for Maine's Future Fund Z108**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500

OTHER SPECIAL	\$500	\$500
REVENUE FUNDS TOTAL		

**COMMUNITIES FOR MAINE'S FUTURE FUND Z108**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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**Community Development Block Grant Program 0587**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$205,582	\$210,919
All Other	\$88,262	\$88,262

GENERAL FUND TOTAL	\$293,844	\$299,181
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$91,373	\$91,787
All Other	\$1,130,550	\$1,130,550

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,221,923	\$1,222,337
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FEDERAL BLOCK GRANT FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$419,029	\$422,827
All Other	\$21,260,658	\$21,260,658

FEDERAL BLOCK GRANT FUND TOTAL	\$21,679,687	\$21,683,485
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**Community Development Block Grant Program 0587**

Initiative: Provides funding to align with anticipated revenue.

**FEDERAL EXPENDITURES FUND**

All Other	\$1,500,000	\$1,500,000
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FEDERAL EXPENDITURES FUND TOTAL	\$1,500,000	\$1,500,000
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**Community Development Block Grant Program 0587**

Initiative: Reduces funding to reflect remaining revolving loan and grant funds.

**OTHER SPECIAL REVENUE FUNDS**

All Other	(\$400,000)	(\$400,000)
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OTHER SPECIAL REVENUE FUNDS TOTAL	(\$400,000)	(\$400,000)
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**Community Development Block Grant Program 0587**

Initiative: Reorganizes one Planner II position to a Development Program Manager position and transfers and reallocates the cost of the position from 75% Federal Block Grant Fund and 25% General Fund to 75% Other Special Revenue Funds and 25% General Fund within the same program and provides funding for related All Other costs. This initiative also transfers All Other to Personal Services in the General Fund to fund the position changes.

GENERAL FUND	2017-18	2018-19
Personal Services	\$1,541	\$2,234
All Other	(\$1,541)	(\$2,234)

GENERAL FUND TOTAL	\$0	\$0
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**OTHER SPECIAL REVENUE FUNDS**

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$63,539	\$66,709
All Other	\$36,098	\$36,098

OTHER SPECIAL REVENUE FUNDS TOTAL	\$99,637	\$102,807
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**FEDERAL BLOCK GRANT FUND**

POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$58,913)	(\$60,007)
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>(\$58,913)</b>	<b>(\$60,007)</b>

Initiative: Provides one-time funding to encourage regional planning and reorganization for towns and municipalities to decrease the duplication of services.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$5,000,000	\$5,000,000
<b>GENERAL FUND TOTAL</b>	<b>\$5,000,000</b>	<b>\$5,000,000</b>

**COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM 0587 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$207,123	\$213,153
All Other	\$86,721	\$86,028
<b>GENERAL FUND TOTAL</b>	<b>\$293,844</b>	<b>\$299,181</b>

**FUND FOR EFFICIENT DELIVERY OF LOCAL & REGIONAL SVCS Z254 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$5,000,000	\$5,000,000
<b>GENERAL FUND TOTAL</b>	<b>\$5,000,000</b>	<b>\$5,000,000</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,500,000	\$1,500,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,500,000</b>	<b>\$1,500,000</b>

**International Commerce 0674**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$251,902	\$253,752
All Other	\$898,409	\$898,409
<b>GENERAL FUND TOTAL</b>	<b>\$1,150,311</b>	<b>\$1,152,161</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$154,912	\$158,496
All Other	\$766,648	\$766,648
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$921,560</b>	<b>\$925,144</b>

**INTERNATIONAL COMMERCE 0674 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$251,902	\$253,752
All Other	\$898,409	\$898,409
<b>GENERAL FUND TOTAL</b>	<b>\$1,150,311</b>	<b>\$1,152,161</b>

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$360,116	\$362,820
All Other	\$21,260,658	\$21,260,658
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$21,620,774</b>	<b>\$21,623,478</b>

**Leadership and Entrepreneurial Development Program Z071**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Fund for Efficient Delivery of Local & Regional Svcs Z254**

**LEADERSHIP AND ENTREPRENEURIAL DEVELOPMENT PROGRAM Z071**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Maine Coworking Development Fund Z195**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$100,000	\$100,000
<b>GENERAL FUND TOTAL</b>	<b>\$100,000</b>	<b>\$100,000</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Maine Coworking Development Fund Z195**

Initiative: Reduces All Other funding on a one-time basis to offset Personal Services increases in the General Fund.

GENERAL FUND	2017-18	2018-19
All Other	(\$100,000)	(\$100,000)
<b>GENERAL FUND TOTAL</b>	<b>(\$100,000)</b>	<b>(\$100,000)</b>

**MAINE COWORKING DEVELOPMENT FUND Z195**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Maine Economic Development Evaluation Fund Z057**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$200,000	\$200,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$200,000</b>	<b>\$200,000</b>

**MAINE ECONOMIC DEVELOPMENT EVALUATION FUND Z057**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$200,000	\$200,000

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$200,000</b>	<b>\$200,000</b>
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**Maine Economic Growth Council 0727**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$55,395	\$55,395
<b>GENERAL FUND TOTAL</b>	<b>\$55,395</b>	<b>\$55,395</b>

**MAINE ECONOMIC GROWTH COUNCIL 0727**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$55,395	\$55,395

<b>GENERAL FUND TOTAL</b>	<b>\$55,395</b>	<b>\$55,395</b>
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**Maine Research and Development Evaluation Fund 0985**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$200,000	\$200,000

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$200,000</b>	<b>\$200,000</b>
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**MAINE RESEARCH AND DEVELOPMENT EVALUATION FUND 0985**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$200,000	\$200,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$200,000</b>	<b>\$200,000</b>

**Maine Small Business and Entrepreneurship Commission 0675**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$683,684	\$683,684
<b>GENERAL FUND TOTAL</b>	<b>\$683,684</b>	<b>\$683,684</b>

**MAINE SMALL BUSINESS AND ENTREPRENEURSHIP COMMISSION 0675**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$683,684	\$683,684
<b>GENERAL FUND TOTAL</b>	<b>\$683,684</b>	<b>\$683,684</b>

**Maine State Film Office 0590**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$93,477	\$94,127
All Other	\$170,605	\$170,605
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$264,082</b>	<b>\$264,732</b>

**MAINE STATE FILM OFFICE 0590**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$93,477	\$94,127
All Other	\$170,605	\$170,605
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$264,082</b>	<b>\$264,732</b>

**Maine Workforce Opportunities Marketing Fund Z178**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$50,000	\$50,000
<b>GENERAL FUND TOTAL</b>	<b>\$50,000</b>	<b>\$50,000</b>

**MAINE WORKFORCE OPPORTUNITIES MARKETING FUND Z178**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$50,000	\$50,000
<b>GENERAL FUND TOTAL</b>	<b>\$50,000</b>	<b>\$50,000</b>

**Office of Broadband Development Z245**

Initiative: Transfers funding from the Municipal Gigabit Broadband Network Access Fund program, Other Special Revenue Funds in the ConnectME Authority to the Office of Broadband Development program, Other Special Revenue Funds in the Department of Economic and Community Development as part of the reorganization of the ConnectME Authority.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**OFFICE OF BROADBAND DEVELOPMENT Z245**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Office of Innovation 0995**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$267,166	\$270,238

All Other	\$6,794,260	\$6,794,260
<b>GENERAL FUND TOTAL</b>	<b>\$7,061,426</b>	<b>\$7,064,498</b>

**OFFICE OF INNOVATION 0995  
PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$267,166	\$270,238
All Other	\$6,794,260	\$6,794,260
<b>GENERAL FUND TOTAL</b>	<b>\$7,061,426</b>	<b>\$7,064,498</b>

**Office of Tourism 0577**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$843,247	\$858,116
All Other	\$12,731,293	\$12,731,293
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$13,574,540</b>	<b>\$13,589,409</b>

**OFFICE OF TOURISM 0577  
PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$843,247	\$858,116
All Other	\$12,731,293	\$12,731,293
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$13,574,540</b>	<b>\$13,589,409</b>

**Renewable Energy Resources Fund Z072**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$88,000	\$88,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$88,000</b>	<b>\$88,000</b>

**RENEWABLE ENERGY RESOURCES FUND  
Z072**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$88,000	\$88,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$88,000</b>	<b>\$88,000</b>

**ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF  
DEPARTMENT TOTALS**

<b>GENERAL FUND</b>	<b>\$17,340,281</b>	<b>\$17,376,684</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$1,647,402</b>	<b>\$1,561,591</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$15,280,182</b>	<b>\$15,299,285</b>
<b>FEDERAL BLOCK GRANT FUND</b>	<b>\$21,620,774</b>	<b>\$21,623,478</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$55,888,639</b>	<b>\$55,861,038</b>

**Sec. A-22. Appropriations and allocations.**  
The following appropriations and allocations are made.

**EDUCATION, DEPARTMENT OF  
Adult Education 0364**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$253,339	\$254,957
All Other	\$5,962,512	\$5,962,512
<b>GENERAL FUND TOTAL</b>	<b>\$6,215,851</b>	<b>\$6,217,469</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$237,124	\$239,310
All Other	\$1,874,267	\$1,874,267

FEDERAL EXPENDITURES	\$2,111,391	\$2,113,577
FUND TOTAL		

**ADULT EDUCATION 0364**  
**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$253,339	\$254,957
All Other	\$5,962,512	\$5,962,512
<b>GENERAL FUND TOTAL</b>	<b>\$6,215,851</b>	<b>\$6,217,469</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$237,124	\$239,310
All Other	\$1,874,267	\$1,874,267
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,111,391</b>	<b>\$2,113,577</b>

**Charter School Program Z129**

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$500	\$500
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**CHARTER SCHOOL PROGRAM Z129**  
**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$500	\$500
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Child Development Services 0449**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$28,685,282	\$28,685,282

GENERAL FUND TOTAL	\$28,685,282	\$28,685,282
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$61,860	\$62,435
All Other	\$2,239,633	\$2,239,633
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,301,493</b>	<b>\$2,302,068</b>

**Child Development Services 0449**

Initiative: Transfers funding from the General Purpose Aid for Local Schools program to the Child Development Services program within the same fund for free appropriate public education for children 5 years of age and for the state share of MaineCare expenditures related to children served by Child Development Services.

GENERAL FUND	2017-18	2018-19
All Other	\$1,475,000	\$1,475,000
<b>GENERAL FUND TOTAL</b>	<b>\$1,475,000</b>	<b>\$1,475,000</b>

**Child Development Services 0449**

Initiative: Continues one Public Service Manager II position previously established by Financial Order 004200 F7. Transfers and reallocates the position from 100% General Fund in the Special Services Team program to 70% General Fund and 30% Federal Expenditures Fund within the same program. Reduces funding for All Other in the Child Development Services program, General Fund in order to offset the increase in Personal Services costs in the Special Services Team program, General Fund.

GENERAL FUND	2017-18	2018-19
All Other	(\$94,392)	(\$95,247)
<b>GENERAL FUND TOTAL</b>	<b>(\$94,392)</b>	<b>(\$95,247)</b>

**Child Development Services 0449**

Initiative: Transfers funding from the General Purpose Aid for Local Schools program to the Child Development Services program within the same fund in order to provide training for identification and intervention services for children with autism.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$500,000

GENERAL FUND TOTAL	\$0	\$500,000
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**Child Development Services 0449**

Initiative: Provides funding for Microsoft Office Suite Enterprise Bundle charges from the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2017-18	2018-19
All Other	\$120,186	\$120,186

GENERAL FUND TOTAL	\$120,186	\$120,186
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**CHILD DEVELOPMENT SERVICES 0449**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$30,186,076	\$30,685,221

GENERAL FUND TOTAL	\$30,186,076	\$30,685,221
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$61,860	\$62,435
All Other	\$2,239,633	\$2,239,633

FEDERAL EXPENDITURES FUND TOTAL	\$2,301,493	\$2,302,068
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**Commission To End Student Hunger Z192**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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**COMMISSION TO END STUDENT HUNGER Z192**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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**Criminal History Record Check Fund Z014**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$9,633	\$9,697
All Other	\$25,700	\$25,700

OTHER SPECIAL REVENUE FUNDS TOTAL	\$35,333	\$35,397
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**CRIMINAL HISTORY RECORD CHECK FUND Z014**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$9,633	\$9,697
All Other	\$25,700	\$25,700

OTHER SPECIAL REVENUE FUNDS TOTAL	\$35,333	\$35,397
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**Digital Literacy Fund Z130**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$456,115	\$456,115

OTHER SPECIAL REVENUE FUNDS TOTAL	\$456,115	\$456,115
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**DIGITAL LITERACY FUND Z130**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$456,115	\$456,115

OTHER SPECIAL REVENUE FUNDS TOTAL	\$456,115	\$456,115
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**Education in Unorganized Territory 0220**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	22.500	22.500
POSITIONS - FTE COUNT	26.371	26.371
Personal Services	\$3,039,585	\$3,110,478
All Other	\$9,225,078	\$9,225,078
<b>GENERAL FUND TOTAL</b>	<b>\$12,264,663</b>	<b>\$12,335,556</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	0.707	0.707
Personal Services	\$153,212	\$157,869
All Other	\$146,611	\$146,611
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$299,823</b>	<b>\$304,480</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$8,135	\$8,135
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$8,135</b>	<b>\$8,135</b>

**Education in Unorganized Territory 0220**

Initiative: Transfers one Teacher Aide position from the Federal Expenditures Fund to the General Fund within the same program. Transfers and reallocates the cost of one Teacher MS position from 100% General Fund to 50% Federal Expenditures Fund and 50% General Fund within the same program. Transfers All Other to Personal Services to fund the position changes.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$26,366	\$29,547
All Other	(\$26,366)	(\$29,547)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$11,787)	(\$10,640)
All Other	\$11,787	\$10,640

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0
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**Education in Unorganized Territory 0220**

Initiative: Provides funding for special education services in the unorganized territory based on projected available resources.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$58,851	\$54,194
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$58,851</b>	<b>\$54,194</b>

**Education in Unorganized Territory 0220**

Initiative: Reduces funding by decreasing the number of weeks for one Education Specialist III position from 52 weeks to 42 weeks to align funding with the actual work schedule of the position and transfers funding to All Other to be used for general operating expenditures.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
POSITIONS - FTE COUNT	0.808	0.808
Personal Services	(\$16,104)	(\$16,850)
All Other	\$16,104	\$16,850
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**EDUCATION IN UNORGANIZED TERRITORY 0220**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	21.500	21.500
POSITIONS - FTE COUNT	27.179	27.179
Personal Services	\$3,049,847	\$3,123,175
All Other	\$9,214,816	\$9,212,381
<b>GENERAL FUND TOTAL</b>	<b>\$12,264,663</b>	<b>\$12,335,556</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000

POSITIONS - FTE COUNT	0.707	0.707
Personal Services	\$141,425	\$147,229
All Other	\$217,249	\$211,445
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$358,674</b>	<b>\$358,674</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$8,135	\$8,135
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$8,135</b>	<b>\$8,135</b>

**FHM - School Breakfast Program Z068**

Initiative: BASELINE BUDGET

<b>FUND FOR A HEALTHY MAINE</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$213,720	\$213,720
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$213,720</b>	<b>\$213,720</b>

**FHM - SCHOOL BREAKFAST PROGRAM Z068 PROGRAM SUMMARY**

<b>FUND FOR A HEALTHY MAINE</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$213,720	\$213,720
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$213,720</b>	<b>\$213,720</b>

**Fund for the Efficient Delivery of Educational Services Z005**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Fund for the Efficient Delivery of Educational Services Z005**

Initiative: Provides one-time funding for consolidation of school administrative units.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$5,000,000	\$5,000,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$5,000,000</b>	<b>\$5,000,000</b>

**FUND FOR THE EFFICIENT DELIVERY OF EDUCATIONAL SERVICES Z005 PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$5,000,500	\$5,000,500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$5,000,500</b>	<b>\$5,000,500</b>

**General Purpose Aid for Local Schools 0308**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	19.000	19.000
Personal Services	\$2,004,907	\$2,053,345
All Other	\$967,676,148	\$967,676,148
<b>GENERAL FUND TOTAL</b>	<b>\$969,681,055</b>	<b>\$969,729,493</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$16,349,782	\$16,349,782
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$16,349,782</b>	<b>\$16,349,782</b>

**General Purpose Aid for Local Schools 0308**

Initiative: Transfers funding from the General Purpose Aid for Local Schools program to the Child Development Services program within the same fund for free appropriate public education for children 5 year of age and for the state share of MaineCare expenditures related to children served by Child Development Services.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$1,475,000)	(\$1,475,000)
<b>GENERAL FUND TOTAL</b>	<b>(\$1,475,000)</b>	<b>(\$1,475,000)</b>

**General Purpose Aid for Local Schools 0308**

Initiative: Provides funding for software charges from the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2017-18	2018-19
All Other	\$10,317	\$10,317
<b>GENERAL FUND TOTAL</b>	<b>\$10,317</b>	<b>\$10,317</b>

**General Purpose Aid for Local Schools 0308**

Initiative: Transfers one Public Service Manager I position from the General Purpose Aid for Local Schools program to the School Finance and Operations program within the same fund and reorganizes the position from range 25 to range 28. This reorganization will be funded with a transfer from the All Other line category in the General Purpose Aid for Local Schools program, General Fund to the Personal Services line category in the School Finance and Operations program, General Fund.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$89,698)	(\$94,348)
All Other	(\$7,677)	(\$7,822)
<b>GENERAL FUND TOTAL</b>	<b>(\$97,375)</b>	<b>(\$102,170)</b>

**General Purpose Aid for Local Schools 0308**

Initiative: Provides funding to cover obligations in support of publicly funded students and teachers in the State.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$1,466,280	\$1,644,440
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,466,280</b>	<b>\$1,644,440</b>

**General Purpose Aid for Local Schools 0308**

Initiative: Provides funding for increased costs associated with the Department of Administrative and Financial Services, Office of the Chief Information Officer; contracted services; a statewide student information system; and 4 positions in the Department of Administrative and Financial Services, Office of Information Technology to support applications within the Department of Education.

GENERAL FUND	2017-18	2018-19
All Other	\$1,271,097	\$1,203,715

GENERAL FUND TOTAL	\$1,271,097	\$1,203,715
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**General Purpose Aid for Local Schools 0308**

Initiative: Reallocates and reorganizes various positions within the Department of Education as a result of an internal review and reorganization of department structure. Establishes one Management Analyst I position and one Public Service Coordinator I position and eliminates one vacant Regional Education Representative position and one vacant Office Associate II position as part of the reorganization of department structure. Position details are on file in the Bureau of the Budget.

GENERAL FUND	2017-18	2018-19
Personal Services	(\$21)	\$10,619
<b>GENERAL FUND TOTAL</b>	<b>(\$21)</b>	<b>\$10,619</b>

**General Purpose Aid for Local Schools 0308**

Initiative: Provides funding to cover essential programs and services obligations in support of publicly funded students and teachers in the State.

GENERAL FUND	2017-18	2018-19
All Other	\$3,952,402	\$14,906,887
<b>GENERAL FUND TOTAL</b>	<b>\$3,952,402</b>	<b>\$14,906,887</b>

**General Purpose Aid for Local Schools 0308**

Initiative: Transfers funding from the General Purpose Aid for Local Schools program to the Child Development Services program within the same fund in order to provide training for identification and intervention services for children with autism.

GENERAL FUND	2017-18	2018-19
All Other	\$0	(\$500,000)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$500,000)</b>

**General Purpose Aid for Local Schools 0308**

Initiative: Provides additional funding for kindergarten to grade 12 public education.

GENERAL FUND	2017-18	2018-19
All Other	\$16,700,000	\$95,000,000
<b>GENERAL FUND TOTAL</b>	<b>\$16,700,000</b>	<b>\$95,000,000</b>

**GENERAL PURPOSE AID FOR LOCAL SCHOOLS 0308**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNCIL	18,000	18,000
Personal Services	\$1,915,188	\$1,969,616
All Other	\$988,127,287	\$1,076,814,245
<b>GENERAL FUND TOTAL</b>	<b>\$990,042,475</b>	<b>\$1,078,783,861</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$17,816,062	\$17,994,222
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$17,816,062</b>	<b>\$17,994,222</b>

**Higher Education and Educator Support Services Z082**

Initiative: Transfers, reallocates and reorganizes various positions and adjusts between All Other and Personal Services within the Department of Education as a result of an internal review and reorganization of department structure. Establishes one Management Analyst I position and one Public Service Coordinator I position and eliminates one vacant Regional Education Representative position and one vacant Office Associate II position as part of the reorganization of department structure. Position details are on file in the Bureau of the Budget.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$5,854	\$6,136
<b>GENERAL FUND TOTAL</b>	<b>\$5,854</b>	<b>\$6,136</b>

**Higher Education and Educator Support Services Z082**

Initiative: Transfers one Public Service Executive II position, 3 Education Specialist III positions, one Office Specialist I Manager position and 3 Office Associate II positions from the School Finance and Operations program, General Fund, one Education Specialist III position, one Public Service Manager II position and one part-time Office Associate II position from the Learning Systems Team program, General Fund, one Education Specialist III position from the Leadership Team program, General Fund and one Education Specialist III position from the Leadership Team program, Federal Expenditures Fund to the Higher Education and Educator Support Services program. This initiative also transfers related All Other costs associated with these positions.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COUNCIL	11,500	11,500
Personal Services	\$937,335	\$967,474
All Other	\$273,500	\$273,500
<b>GENERAL FUND TOTAL</b>	<b>\$1,210,835</b>	<b>\$1,240,974</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$26,330	\$0
All Other	\$5,480,535	\$5,480,535
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$5,506,865</b>	<b>\$5,480,535</b>

**Higher Education and Educator Support Services Z082**

Initiative: Continues one limited-period Education Specialist III position through June 15, 2019 that was previously authorized to continue in Public Law 2013, chapter 368 through September 30, 2017 and transfers the position from the Federal Expenditures Fund to the General Fund within the same program effective October 1, 2017.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$78,993	\$106,449
<b>GENERAL FUND TOTAL</b>	<b>\$78,993</b>	<b>\$106,449</b>

**HIGHER EDUCATION AND EDUCATOR SUPPORT SERVICES Z082**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNCIL	11,500	11,500
Personal Services	\$1,022,182	\$1,080,059
All Other	\$273,500	\$273,500
<b>GENERAL FUND TOTAL</b>	<b>\$1,295,682</b>	<b>\$1,353,559</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$26,330	\$0
All Other	\$5,480,535	\$5,480,535
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$5,506,865</b>	<b>\$5,480,535</b>

**Leadership Team Z077**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	11,000	11,000
Personal Services	\$1,146,639	\$1,164,119
All Other	\$377,444	\$377,444
<b>GENERAL FUND TOTAL</b>	<b>\$1,524,083</b>	<b>\$1,541,563</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$26,330	\$0
All Other	\$5,480,535	\$5,480,535
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$5,506,865</b>	<b>\$5,480,535</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$163,166	\$165,651
All Other	\$6,015,713	\$6,015,713
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$6,178,879</b>	<b>\$6,181,364</b>

**Leadership Team Z077**

Initiative: Transfers one Secretary position from the School Finance and Operations program, General Fund to the Leadership Team program, General Fund.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$61,507	\$62,109
<b>GENERAL FUND TOTAL</b>	<b>\$61,507</b>	<b>\$62,109</b>

**Leadership Team Z077**

Initiative: Transfers and reallocates the costs of one Office Associate II position from 50% Learning Systems Team program, Federal Expenditures Fund and 50% Special Services Team program, General Fund to 50% Learning Systems Team program, General Fund and 50% Leadership Team, Other Special Revenue Funds, and adjusts between All Other and Personal Services to fund the position.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$30,477	\$32,058
All Other	(\$30,477)	(\$32,058)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Leadership Team Z077**

Initiative: Transfers and reallocates the costs of one Public Service Manager II position from 60% Learning Systems Team program, Federal Expenditures Fund and 40% Learning Systems Team program, General Fund to 60% Leadership Team program, Other Special Revenue Funds and 40% Learning Systems Team program, General Fund and transfers funding from All Other to Personal Services to fund the position.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$62,118	\$65,355
All Other	(\$62,118)	(\$65,355)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Leadership Team Z077**

Initiative: Provides funding in order to align allocations with estimated revenue.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$300,000	\$300,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$300,000</b>	<b>\$300,000</b>

**Leadership Team Z077**

Initiative: Reduces funding in the Teacher Incentive Fund program, Other Special Revenue Funds. Grant funding is now being received by the department in the Teacher Incentive Fund program, Federal Expenditures Fund.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$4,009,726)	(\$4,009,726)

OTHER SPECIAL	(\$4,009,726)	(\$4,009,726)
REVENUE FUNDS TOTAL		

All Other	(\$5,480,535)	(\$5,480,535)
FEDERAL EXPENDITURES FUND TOTAL	(\$5,506,865)	(\$5,480,535)

**Leadership Team Z077**

Initiative: Transfers, reallocates and reorganizes various positions and adjusts between All Other and Personal Services within the Department of Education as a result of an internal review and reorganization of department structure. Establishes one Management Analyst I position and one Public Service Coordinator I position and eliminates one vacant Regional Education Representative position and one vacant Office Associate II position as part of the reorganization of department structure. Position details are on file in the Bureau of the Budget.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$97,375	\$102,170
All Other	(\$97,375)	(\$102,170)
GENERAL FUND TOTAL	\$0	\$0

**Leadership Team Z077**

Initiative: Transfers one Public Service Executive II position, 3 Education Specialist III positions, one Office Specialist I Manager position and 3 Office Associate II positions from the School Finance and Operations program, General Fund, one Education Specialist III position, one Public Service Manager II position and one part-time Office Associate II position from the Learning Systems Team program, General Fund, one Education Specialist III position from the Leadership Team program, General Fund and one Education Specialist III position from the Leadership Team program, Federal Expenditures Fund to the Higher Education and Educator Support Services program. This initiative also transfers related All Other costs associated with these positions.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$83,431)	(\$87,278)
All Other	(\$8,000)	(\$8,000)
GENERAL FUND TOTAL	(\$91,431)	(\$95,278)

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	(\$26,330)	\$0

**Leadership Team Z077**

Initiative: Reorganizes one Public Service Coordinator II position to a Public Service Coordinator III position and transfers All Other to Personal Services to fund the reorganization.

GENERAL FUND	2017-18	2018-19
Personal Services	\$5,696	\$10,384
All Other	(\$5,696)	(\$10,384)
GENERAL FUND TOTAL	\$0	\$0

**LEADERSHIP TEAM Z077**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,227,786	\$1,251,504
All Other	\$266,373	\$256,890
GENERAL FUND TOTAL	\$1,494,159	\$1,508,394

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$0	\$0
All Other	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$255,761	\$263,064
All Other	\$2,213,392	\$2,208,574
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,469,153	\$2,471,638

**Learning Systems Team Z081**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	20.500	20.500
Personal Services	\$2,079,500	\$2,114,058
All Other	\$3,120,424	\$3,120,424
<b>GENERAL FUND TOTAL</b>	<b>\$5,199,924</b>	<b>\$5,234,482</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	25.000	25.000
POSITIONS - FTE COUNT	0.577	0.577
Personal Services	\$2,222,861	\$2,217,751
All Other	\$96,108,299	\$96,108,299
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$98,331,160</b>	<b>\$98,326,050</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$52,696	\$53,506
All Other	\$71,897	\$71,897
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$124,593</b>	<b>\$125,403</b>

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$198,908	\$200,984
All Other	\$48,246	\$48,246
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$247,154</b>	<b>\$249,230</b>

**Learning Systems Team Z081**

Initiative: Transfers one Education Specialist II position from the Learning Systems Team program, Federal Expenditures Fund to the Special Services Team program, Federal Expenditures Fund and transfers funding from All Other to Personal Services to fund the position.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$90,207)	(\$91,976)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$90,207)</b>	<b>(\$91,976)</b>

**Learning Systems Team Z081**

Initiative: Transfers and reallocates the costs of one Education Specialist II position from 100% Special Services Team program, Federal Expenditures Fund to 50% Learning Systems Team program, Federal Expenditures Fund and 50% Special Services Team program, Federal Expenditures Fund and adjusts between All Other and Personal Services.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$48,140	\$48,646
All Other	(\$48,140)	(\$48,646)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Learning Systems Team Z081**

Initiative: Transfers and reallocates the costs of one Office Associate II position from 50% Learning Systems Team program, Federal Expenditures Fund and 50% Special Services Team program, General Fund to 50% Learning Systems Team program, General Fund and 50% Leadership Team, Other Special Revenue Funds, and adjusts between All Other and Personal Services to fund the position.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$30,472	\$32,055
All Other	\$1,000	\$1,000
<b>GENERAL FUND TOTAL</b>	<b>\$31,472</b>	<b>\$33,055</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$30,477)	(\$32,058)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$30,477)</b>	<b>(\$32,058)</b>

**Learning Systems Team Z081**

Initiative: Transfers and reallocates the costs of one Public Service Manager II position from 60% Learning Systems Team program, Federal Expenditures Fund and 40% Learning Systems Team program, General Fund to 60% Leadership Team program, Other Special Revenue Funds and 40% Learning Systems Team program, General Fund and transfers funding from All Other to Personal Services to fund the position.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$62,118)	(\$65,355)
All Other	\$62,118	\$65,355
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Learning Systems Team Z081**

Initiative: Transfers funding from the Special Services Team program to the Learning Systems Team program, within the General Fund for All Other costs related to 2 Education Specialist III positions transferred in Public Law 2015, chapter 267.

GENERAL FUND	2017-18	2018-19
All Other	\$12,000	\$12,000
<b>GENERAL FUND TOTAL</b>	<b>\$12,000</b>	<b>\$12,000</b>

**Learning Systems Team Z081**

Initiative: Transfers one Public Service Executive II position, 3 Education Specialist III positions, one Office Specialist I Manager position and 3 Office Associate II positions from the School Finance and Operations program, General Fund, one Education Specialist III position, one Public Service Manager II position and one part-time Office Associate II position from the Learning Systems Team program, General Fund, one Education Specialist III position from the Leadership Team program, General Fund and one Education Specialist III position from the Leadership Team program, Federal Expenditures Fund to the Higher Education and Educator Support Services program. This initiative also transfers related All Other costs associated with these positions.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(2,500)	(2,500)
Personal Services	(\$229,918)	(\$237,520)
All Other	(\$165,500)	(\$165,500)

GENERAL FUND TOTAL	(\$395,418)	(\$403,020)
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**Learning Systems Team Z081**

Initiative: Reorganizes one Education Specialist III position to a Public Service Manager II position and transfers All Other to Personal Services to fund the reorganization.

GENERAL FUND	2017-18	2018-19
Personal Services	\$19,827	\$24,042
All Other	(\$19,827)	(\$24,042)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Learning Systems Team Z081**

Initiative: Reallocates one Education Specialist III position to various accounts within the Learning Systems Team program, Federal Expenditures Fund and reorganizes the position to a Public Service Manager II position.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$9,978	\$14,728
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$9,978</b>	<b>\$14,728</b>

**Learning Systems Team Z081**

Initiative: Reorganizes one Office Associate II position to a Management Analyst I position to align the classification with the duties of the position.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$14,396	\$14,760
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$14,396</b>	<b>\$14,760</b>

**Learning Systems Team Z081**

Initiative: Provides funding for the approved reorganization of one Education Specialist II position to an Education Specialist III position and transfers All Other to Personal Services to fund the reorganization.

GENERAL FUND	2017-18	2018-19
Personal Services	\$7,100	\$7,110
All Other	(\$7,100)	(\$7,110)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Learning Systems Team Z081**

Initiative: Reallocates and reorganizes various positions within the Department of Education as a result of an internal review and reorganization of department structure. Establishes one Management Analyst I position and one Public Service Coordinator I position and eliminates one vacant Regional Education Representative position and one vacant Office Associate II position as part of the reorganization of department structure. Position details are on file in the Bureau of the Budget.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	\$18,268	\$24,417
<b>GENERAL FUND TOTAL</b>	<b>\$18,268</b>	<b>\$24,417</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	(\$57,368)	(\$57,299)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$57,368)</b>	<b>(\$57,299)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$4,718	\$7,043
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$4,718</b>	<b>\$7,043</b>

**Learning Systems Team Z081**

Initiative: Reorganizes one Education Specialist II position to an Education Specialist III position.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$3,550	\$3,555
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$3,550</b>	<b>\$3,555</b>

**LEARNING SYSTEMS TEAM Z081 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	17.000	17.000
Personal Services	\$1,925,249	\$1,964,162
All Other	\$2,940,997	\$2,936,772

<b>GENERAL FUND TOTAL</b>	<b>\$4,866,246</b>	<b>\$4,900,934</b>
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**FEDERAL EXPENDITURES FUND**

POSITIONS - LEGISLATIVE COUNT	23.000	23.000
POSITIONS - FTE COUNT	0.577	0.577
Personal Services	\$2,058,755	\$2,052,752
All Other	\$96,122,277	\$96,125,008

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$98,181,032</b>	<b>\$98,177,760</b>
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**OTHER SPECIAL REVENUE FUNDS**

POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$57,414	\$60,549
All Other	\$71,897	\$71,897

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$129,311</b>	<b>\$132,446</b>
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**FEDERAL BLOCK GRANT FUND**

POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$198,908	\$200,984
All Other	\$48,246	\$48,246

<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$247,154</b>	<b>\$249,230</b>
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**Learning Through Technology Z029**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$12,141,815	\$12,141,815

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$12,141,815</b>	<b>\$12,141,815</b>
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**LEARNING THROUGH TECHNOLOGY Z029**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$12,141,815	\$12,141,815
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$12,141,815</b>	<b>\$12,141,815</b>

**Maine Commission for Community Service Z134**

Initiative: BASELINE BUDGET

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	5,000	5,000
Personal Services	\$336,659	\$348,771
All Other	\$2,358,339	\$2,358,339
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,694,998</b>	<b>\$2,707,110</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$27,517	\$28,864
All Other	\$194,282	\$194,282
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$221,799</b>	<b>\$223,146</b>

**MAINE COMMISSION FOR COMMUNITY SERVICE Z134**

**PROGRAM SUMMARY**

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	5,000	5,000
Personal Services	\$336,659	\$348,771
All Other	\$2,358,339	\$2,358,339
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,694,998</b>	<b>\$2,707,110</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$27,517	\$28,864
All Other	\$194,282	\$194,282
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$221,799</b>	<b>\$223,146</b>

**Maine HIV Prevention Education Program Z182**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$150,000	\$150,000
<b>GENERAL FUND TOTAL</b>	<b>\$150,000</b>	<b>\$150,000</b>

**MAINE HIV PREVENTION EDUCATION PROGRAM Z182**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$150,000	\$150,000
<b>GENERAL FUND TOTAL</b>	<b>\$150,000</b>	<b>\$150,000</b>

**National Board Certification Salary Supplement Fund Z147**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$335,000	\$335,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$335,000</b>	<b>\$335,000</b>

**National Board Certification Salary Supplement Fund Z147**

Initiative: Eliminates funding for the National Board Certification Salary Supplement Fund program. This request will generate \$335,000 in General Fund undedicated revenue in each fiscal year of the 2018-2019 biennium.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$335,000)	(\$335,000)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$335,000)</b>	<b>(\$335,000)</b>

**NATIONAL BOARD CERTIFICATION SALARY SUPPLEMENT FUND Z147**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0

OTHER SPECIAL	\$0	\$0
REVENUE FUNDS TOTAL		

**National Board Certification Scholarship Fund Z148**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$75,000	\$75,000

OTHER SPECIAL	\$75,000	\$75,000
REVENUE FUNDS TOTAL		

**NATIONAL BOARD CERTIFICATION SCHOLARSHIP FUND Z148**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$75,000	\$75,000

OTHER SPECIAL	\$75,000	\$75,000
REVENUE FUNDS TOTAL		

**Obesity and Chronic Disease Fund Z111**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500

OTHER SPECIAL	\$500	\$500
REVENUE FUNDS TOTAL		

**OBESITY AND CHRONIC DISEASE FUND Z111**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500

OTHER SPECIAL	\$500	\$500
REVENUE FUNDS TOTAL		

**Retired Teachers Group Life Insurance Z033**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$3,270,928	\$3,270,928

GENERAL FUND TOTAL	\$3,270,928	\$3,270,928
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**Retired Teachers Group Life Insurance Z033**

Initiative: Provides funding for group life insurance for retired teachers.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$188,072	\$276,072

GENERAL FUND TOTAL	\$188,072	\$276,072
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**RETIRED TEACHERS GROUP LIFE INSURANCE Z033**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$3,459,000	\$3,547,000

GENERAL FUND TOTAL	\$3,459,000	\$3,547,000
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**Retired Teachers' Health Insurance 0854**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$37,300,000	\$37,300,000

GENERAL FUND TOTAL	\$37,300,000	\$37,300,000
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**Retired Teachers' Health Insurance 0854**

Initiative: Provides funding for increased retired teachers' health insurance costs.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$2,700,000	\$7,700,000

GENERAL FUND TOTAL	\$2,700,000	\$7,700,000
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**RETIRED TEACHERS' HEALTH INSURANCE 0854**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$40,000,000	\$45,000,000

GENERAL FUND TOTAL	\$40,000,000	\$45,000,000
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**School Finance and Operations Z078**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$955,970	\$986,022
All Other	\$2,146,004	\$2,146,004

GENERAL FUND TOTAL	\$3,101,974	\$3,132,026
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**FEDERAL EXPENDITURES FUND**

POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$705,830	\$711,626
All Other	\$49,271,845	\$49,271,845

FEDERAL EXPENDITURES FUND TOTAL	\$49,977,675	\$49,983,471
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**OTHER SPECIAL REVENUE FUNDS**

POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$552,682	\$563,867
All Other	\$432,777	\$432,777

OTHER SPECIAL REVENUE FUNDS TOTAL	\$985,459	\$996,644
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**School Finance and Operations Z078**

Initiative: Transfers one Secretary position from the School Finance and Operations program, General Fund to the Leadership Team program, General Fund.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$61,507)	(\$62,109)

GENERAL FUND TOTAL	(\$61,507)	(\$62,109)
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**School Finance and Operations Z078**

Initiative: Reduces funding to align allocations with projected resources as grant funding is no longer available.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$150,000)	(\$150,000)

FEDERAL EXPENDITURES FUND TOTAL	(\$150,000)	(\$150,000)
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**School Finance and Operations Z078**

Initiative: Provides one-time funding to collect and aggregate data as evidence of progress toward high school graduation goals pursuant to Public Law 2015, chapter 489.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$75,000	\$25,000
GENERAL FUND TOTAL	\$75,000	\$25,000

**School Finance and Operations Z078**

Initiative: Provides funding for increased costs associated with the Department of Administrative and Financial Services, Office of the Chief Information Officer; contracted services; and 4 positions in the Department of Administrative and Financial Services, Office of Information Technology to support applications within the Department of Education. Provides one-time funding for the transition to a new statewide student information system.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$63,445	\$63,445
GENERAL FUND TOTAL	\$63,445	\$63,445

**School Finance and Operations Z078**

Initiative: Transfers, reallocates and reorganizes various positions and adjusts between All Other and Personal Services within the Department of Education as a result of an internal review and reorganization of department structure. Establishes one Management Analyst I position and one Public Service Coordinator I position and eliminates one vacant Regional Education Representative position and one vacant Office Associate II position as part of the reorganization of department structure. Position details are on file in the Bureau of the Budget.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$55,143	\$57,525
GENERAL FUND TOTAL	\$55,143	\$57,525

**School Finance and Operations Z078**

Initiative: Transfers one Public Service Executive II position, 3 Education Specialist III positions, one Office Specialist I Manager position and 3 Office Associate II positions from the School Finance and Operations program, General Fund, one Education Specialist III position, one Public Service Manager II position and one part-time Office Associate II position from the Learning Systems Team program, General Fund, one

Education Specialist III position from the Leadership Team program, General Fund and one Education Specialist III position from the Leadership Team program, Federal Expenditures Fund to the Higher Education and Educator Support Services program. This initiative also transfers related All Other costs associated with these positions.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(8,000)	(8,000)
Personal Services	(\$623,986)	(\$642,676)
All Other	(\$100,000)	(\$100,000)
<b>GENERAL FUND TOTAL</b>	<b>(\$723,986)</b>	<b>(\$742,676)</b>

**School Finance and Operations Z078**

Initiative: Provides funding for software charges from the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2017-18	2018-19
All Other	\$37,929	\$37,929
<b>GENERAL FUND TOTAL</b>	<b>\$37,929</b>	<b>\$37,929</b>

**School Finance and Operations Z078**

Initiative: Transfers one Public Service Manager I position from the General Purpose Aid for Local Schools program to the School Finance and Operations program within the same fund and reorganizes the position from range 25 to range 28. This reorganization will be funded with a transfer from the All Other line category in the General Purpose Aid for Local Schools program, General Fund to the Personal Services line category in the School Finance and Operations program, General Fund.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$97,375	\$102,170
<b>GENERAL FUND TOTAL</b>	<b>\$97,375</b>	<b>\$102,170</b>

**School Finance and Operations Z078**

Initiative: Provides funding to implement a new electronic data warehouse.

GENERAL FUND	2017-18	2018-19
All Other	\$1,750,000	\$2,750,000
<b>GENERAL FUND TOTAL</b>	<b>\$1,750,000</b>	<b>\$2,750,000</b>

**School Finance and Operations Z078**

Initiative: Transfers 3 Social Services Program Specialist I positions and All Other funding from the Child Care Food Program in the Department of Health and Human Services to the School Finance and Operations program in the Department of Education within the same fund.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$208,064	\$217,366
All Other	\$10,488,003	\$10,488,003
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$10,696,067</b>	<b>\$10,705,369</b>

**School Finance and Operations Z078**

Initiative: Establishes one Education Specialist I position to administer the federal summer food service program.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$75,494	\$79,263
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$75,494</b>	<b>\$79,263</b>

**SCHOOL FINANCE AND OPERATIONS Z078 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5,000	5,000
Personal Services	\$422,995	\$440,932
All Other	\$3,972,378	\$4,922,378
<b>GENERAL FUND TOTAL</b>	<b>\$4,395,373</b>	<b>\$5,363,310</b>
FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	12,000	12,000
Personal Services	\$989,388	\$1,008,255
All Other	\$59,609,848	\$59,609,848
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$60,599,236</b>	<b>\$60,618,103</b>

	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$552,682	\$563,867
All Other	\$432,777	\$432,777
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$985,459	\$996,644

**Special Services Team Z080**

Initiative: BASELINE BUDGET

	2017-18	2018-19
<b>GENERAL FUND</b>		
Personal Services	\$30,472	\$32,055
All Other	\$164,943	\$164,943
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$195,415	\$196,998

	2017-18	2018-19
<b>FEDERAL EXPENDITURES FUND</b>		
POSITIONS - LEGISLATIVE COUNT	21.000	21.000
Personal Services	\$1,889,613	\$1,930,600
All Other	\$59,924,848	\$59,924,848
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$61,814,461	\$61,855,448

**Special Services Team Z080**

Initiative: Transfers one Education Specialist II position from the Learning Systems Team program, Federal Expenditures Fund to the Special Services Team program, Federal Expenditures Fund and transfers funding from All Other to Personal Services to fund the position.

	2017-18	2018-19
<b>FEDERAL EXPENDITURES FUND</b>		
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$90,207	\$91,976
All Other	(\$90,207)	(\$91,976)
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

**Special Services Team Z080**

Initiative: Transfers and reallocates the costs of one Education Specialist II position from 100% Special Services Team program, Federal Expenditures Fund to

50% Learning Systems Team program, Federal Expenditures Fund and 50% Special Services Team program, Federal Expenditures Fund and adjusts between All Other and Personal Services.

	2017-18	2018-19
<b>FEDERAL EXPENDITURES FUND</b>		
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$48,140)	(\$48,646)
All Other	\$48,140	\$48,646
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

**Special Services Team Z080**

Initiative: Transfers and reallocates the costs of one Office Associate II position from 50% Learning Systems Team program, Federal Expenditures Fund and 50% Special Services Team program, General Fund to 50% Learning Systems Team program, General Fund and 50% Leadership Team, Other Special Revenue Funds and adjusts between All Other and Personal Services to fund the position.

	2017-18	2018-19
<b>GENERAL FUND</b>		
Personal Services	(\$30,472)	(\$32,055)
All Other	(\$1,000)	(\$1,000)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$31,472)	(\$33,055)

**Special Services Team Z080**

Initiative: Transfers funding from the Special Services Team program to the Learning Systems Team program within the General Fund for All Other costs related to 2 Education Specialist III positions transferred in Public Law 2015, chapter 267.

	2017-18	2018-19
<b>GENERAL FUND</b>		
All Other	(\$12,000)	(\$12,000)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$12,000)	(\$12,000)

**Special Services Team Z080**

Initiative: Transfers, reallocates and reorganizes various positions and adjusts between All Other and Personal Services within the Department of Education as a result of an internal review and reorganization of department structure. Establishes one Management Analyst I position and one Public Service Coordinator I position and eliminates one vacant Regional Education Representative position and one vacant Office Associate II position as part of the reorganization of

department structure. Position details are on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	(\$43,075)	(\$41,808)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$43,075)</b>	<b>(\$41,808)</b>

**Special Services Team Z080**

Initiative: Continues one Public Service Manager II position previously established by Financial Order 004200 F7. Transfers and reallocates the position from 100% General Fund in the Special Services Team program to 70% General Fund and 30% Federal Expenditures Fund within the same program. Reduces funding for All Other in the Child Development Services program, General Fund in order to offset the increase in Personal Services costs in the Special Services Team program, General Fund.

GENERAL FUND	2017-18	2018-19
Personal Services	\$94,392	\$95,247
<b>GENERAL FUND TOTAL</b>	<b>\$94,392</b>	<b>\$95,247</b>

**Special Services Team Z080**

Initiative: Continues one Public Service Manager II position previously established by Financial Order 004200 F7. Transfers and reallocates the position from 100% General Fund in the Special Services Team program to 70% General Fund and 30% Federal Expenditures Fund within the same program. Reduces funding for All Other in the Child Development Services program, General Fund in order to offset the increase in Personal Services costs in the Special Services Team program, General Fund.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$40,455	\$40,821
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$40,455</b>	<b>\$40,821</b>

**Special Services Team Z080**

Initiative: Reorganizes one Public Service Executive II position from range 36 to range 38.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$7,177	\$12,488

FEDERAL EXPENDITURES FUND TOTAL	\$7,177	\$12,488
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**Special Services Team Z080**

Initiative: Reorganizes one Education Specialist II position to an Education Specialist III position.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$3,550	\$3,555
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$3,550</b>	<b>\$3,555</b>

**SPECIAL SERVICES TEAM Z080 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
Personal Services	\$94,392	\$95,247
All Other	\$151,943	\$151,943
<b>GENERAL FUND TOTAL</b>	<b>\$246,335</b>	<b>\$247,190</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$1,939,787	\$1,988,986
All Other	\$59,882,781	\$59,881,518
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$61,822,568</b>	<b>\$61,870,504</b>

**Teacher Retirement 0170**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$116,414,561	\$116,414,561
<b>GENERAL FUND TOTAL</b>	<b>\$116,414,561</b>	<b>\$116,414,561</b>

**Teacher Retirement 0170**

Initiative: Provides funding for teacher retirement costs based upon actuarial estimates from the Maine Public Employees Retirement System.

GENERAL FUND	2017-18	2018-19
All Other	\$13,007,174	\$16,566,272

GENERAL FUND TOTAL	\$13,007,174	\$16,566,272
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Personal Services	\$91,316	\$92,262
All Other	\$73,694	\$73,694
GENERAL FUND TOTAL	\$165,010	\$165,956

**TEACHER RETIREMENT 0170  
PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$129,421,735	\$132,980,833
GENERAL FUND TOTAL	\$129,421,735	\$132,980,833

EDUCATION, DEPARTMENT OF DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$1,224,037,595	\$1,323,073,327
FEDERAL EXPENDITURES FUND	\$233,576,757	\$233,628,831
FUND FOR A HEALTHY MAINE	\$213,720	\$213,720
OTHER SPECIAL REVENUE FUNDS	\$39,339,682	\$39,536,058
FEDERAL BLOCK GRANT FUND	\$247,154	\$249,230
DEPARTMENT TOTAL - ALL FUNDS	\$1,497,414,908	\$1,596,701,166

**Sec. A-24. Appropriations and allocations.**  
The following appropriations and allocations are made.

**EFFICIENCY MAINE TRUST**

**Efficiency Maine Trust Z100**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNTR	2.000	2.000
Personal Services	\$195,702	\$201,746
All Other	\$1,537,869	\$1,537,869
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,733,571	\$1,739,615

**Efficiency Maine Trust Z100**

Initiative: Provides for an increase in allocation in the Efficiency Maine Trust program to align with projected natural gas assessments.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$649,836	\$643,792
OTHER SPECIAL REVENUE FUNDS TOTAL	\$649,836	\$643,792

**Sec. A-23. Appropriations and allocations.**  
The following appropriations and allocations are made.

**EDUCATION, STATE BOARD OF  
State Board of Education 0614**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNTR	1.000	1.000
Personal Services	\$91,316	\$92,262
All Other	\$73,694	\$73,694
GENERAL FUND TOTAL	\$165,010	\$165,956

**EFFICIENCY MAINE TRUST Z100**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNTR	2.000	2.000
Personal Services	\$195,702	\$201,746
All Other	\$2,187,705	\$2,181,661
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,383,407	\$2,383,407

**STATE BOARD OF EDUCATION 0614  
PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNTR	1.000	1.000

**EFFICIENCY MAINE TRUST**

DEPARTMENT TOTALS	2017-18	2018-19
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$2,383,407</b>	<b>\$2,383,407</b>
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<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$2,383,407</b>	<b>\$2,383,407</b>

**Sec. A-25. Appropriations and allocations.**  
The following appropriations and allocations are made.

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

**Administration - Environmental Protection 0251**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$470,746	\$478,655
All Other	\$642,269	\$642,269

<b>GENERAL FUND TOTAL</b>	<b>\$1,113,015</b>	<b>\$1,120,924</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	24.000	24.000
Personal Services	\$2,223,552	\$2,277,483
All Other	\$3,792,930	\$3,792,930

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$6,016,482</b>	<b>\$6,070,413</b>
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**Administration - Environmental Protection 0251**

Initiative: Transfers one Environmental Specialist IV position from the Administration - Environmental Protection program, Other Special Revenue Funds to the Remediation and Waste Management program, Other Special Revenue Funds.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$96,845)	(\$97,630)
All Other	(\$3,509)	(\$3,537)

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$100,354)</b>	<b>(\$101,167)</b>
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**Administration - Environmental Protection 0251**

Initiative: Transfers one Environmental Specialist III position from the Performance Partnership Grant program, Federal Expenditures Fund to the Administration - Environmental Protection program, Other Special Revenue Funds.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$88,232	\$89,359
All Other	\$3,197	\$3,237

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$91,429</b>	<b>\$92,596</b>
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**Administration - Environmental Protection 0251**

Initiative: Transfers one Environmental Specialist IV position from the Water Quality program, General Fund to the Administration - Environmental Protection program, General Fund.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$95,201	\$95,854

<b>GENERAL FUND TOTAL</b>	<b>\$95,201</b>	<b>\$95,854</b>
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**Administration - Environmental Protection 0251**

Initiative: Transfers one Environmental Specialist III position from the Administration - Environmental Protection program, Other Special Revenue Funds to the Maine Environmental Protection Fund program, Other Special Revenue Funds.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$75,566)	(\$79,335)
All Other	(\$2,738)	(\$2,874)

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$78,304)</b>	<b>(\$82,209)</b>
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**Administration - Environmental Protection 0251**

Initiative: Transfers one Public Service Coordinator I position from the Maine Environmental Protection Fund program, Other Special Revenue Funds to the Administration - Environmental Protection program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$94,731	\$99,022
All Other	\$3,432	\$3,588
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$98,163</b>	<b>\$102,610</b>

**Administration - Environmental Protection 0251**

Initiative: Adjusts funding for the same level of application and end user support provided by the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2017-18	2018-19
All Other	\$42,736	\$44,393
<b>GENERAL FUND TOTAL</b>	<b>\$42,736</b>	<b>\$44,393</b>

**Administration - Environmental Protection 0251**

Initiative: Provides funding to purchase a plotter/printer in fiscal year 2017-18.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Capital Expenditures	\$11,800	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$11,800</b>	<b>\$0</b>

**ADMINISTRATION - ENVIRONMENTAL PROTECTION 0251**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$565,947	\$574,509
All Other	\$685,005	\$686,662
<b>GENERAL FUND TOTAL</b>	<b>\$1,250,952</b>	<b>\$1,261,171</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	24.000	24.000
Personal Services	\$2,234,104	\$2,288,899
All Other	\$3,793,312	\$3,793,344
Capital Expenditures	\$11,800	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,039,216	\$6,082,243
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**Air Quality 0250**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	13.500	13.500
Personal Services	\$1,114,537	\$1,141,847
All Other	\$57,159	\$57,159
<b>GENERAL FUND TOTAL</b>	<b>\$1,171,696</b>	<b>\$1,199,006</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$322,872	\$325,811
All Other	\$2,685,774	\$2,685,774
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$3,008,646</b>	<b>\$3,011,585</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$450,000	\$450,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$450,000</b>	<b>\$450,000</b>

**Air Quality 0250**

Initiative: Reallocates the cost of one Environmental Specialist IV position from 100% Performance Partnership Grant program, Federal Expenditures Fund to 50% Performance Partnership Grant program, Federal Expenditures Fund and 50% Air Quality program, General Fund.

GENERAL FUND	2017-18	2018-19
Personal Services	\$44,503	\$47,120
<b>GENERAL FUND TOTAL</b>	<b>\$44,503</b>	<b>\$47,120</b>

**Air Quality 0250**

Initiative: Eliminates one part-time Environmental Specialist IV position.

GENERAL FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
Personal Services	(\$47,093)	(\$49,508)
<b>GENERAL FUND TOTAL</b>	<b>(\$47,093)</b>	<b>(\$49,508)</b>

**Air Quality 0250**

Initiative: Reduces funding to align allocations with projected available resources.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$2,000,000)	(\$2,000,000)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$2,000,000)</b>	<b>(\$2,000,000)</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$400,000)	(\$400,000)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$400,000)</b>	<b>(\$400,000)</b>

**Air Quality 0250**

Initiative: Provides funding for equipment purchases that are essential for the State to meet its obligation to monitor and maintain baseline data about ambient air quality.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Capital Expenditures	\$20,000	\$20,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$20,000</b>	<b>\$20,000</b>

**AIR QUALITY 0250 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$1,111,947	\$1,139,459
All Other	\$57,159	\$57,159
<b>GENERAL FUND TOTAL</b>	<b>\$1,169,106</b>	<b>\$1,196,618</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$322,872	\$325,811
All Other	\$685,774	\$685,774
Capital Expenditures	\$20,000	\$20,000

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,028,646</b>	<b>\$1,031,585</b>
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**OTHER SPECIAL REVENUE FUNDS**

All Other	\$50,000	\$50,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$50,000</b>	<b>\$50,000</b>

**Board of Environmental Protection Fund 0025**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$220,039	\$224,768
All Other	\$104,961	\$100,232
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$325,000</b>	<b>\$325,000</b>

**BOARD OF ENVIRONMENTAL PROTECTION FUND 0025**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$220,039	\$224,768
All Other	\$104,961	\$100,232
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$325,000</b>	<b>\$325,000</b>

**Land Resources Z188**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	25.000	25.000
Personal Services	\$1,843,336	\$1,889,974

All Other	\$100,000	\$100,000
<b>GENERAL FUND TOTAL</b>	<b>\$1,943,336</b>	<b>\$1,989,974</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COURT	3.000	3.000
Personal Services	\$227,216	\$235,296
All Other	\$17,240	\$17,240
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$244,456</b>	<b>\$252,536</b>

**Land Resources Z188**

Initiative: Reallocates the cost of one Public Service Manager I position from 100% Maine Environmental Protection Fund program, Other Special Revenue Funds to 50% Maine Environmental Protection Fund program, Other Special Revenue Funds and 50% Land Resources program, Federal Expenditures Fund.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$55,678	\$56,121
All Other	\$2,017	\$2,033
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$57,695</b>	<b>\$58,154</b>

**Land Resources Z188**

Initiative: Transfers one Environmental Specialist III position and one Environmental Specialist IV position from the Land Resources program, General Fund to the Maine Environmental Protection Fund program, Other Special Revenue Funds.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COURT	(2.000)	(2.000)
Personal Services	(\$173,341)	(\$174,596)
<b>GENERAL FUND TOTAL</b>	<b>(\$173,341)</b>	<b>(\$174,596)</b>

**Land Resources Z188**

Initiative: Transfers one Environmental Specialist IV position and one Environmental Engineer position from the Maine Environmental Protection Fund program, Other Special Revenue Funds to the Land Resources program, General Fund.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COURT	2.000	2.000
Personal Services	\$187,954	\$189,386
<b>GENERAL FUND TOTAL</b>	<b>\$187,954</b>	<b>\$189,386</b>

**LAND RESOURCES Z188 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COURT	25.000	25.000
Personal Services	\$1,857,949	\$1,904,764
All Other	\$100,000	\$100,000
<b>GENERAL FUND TOTAL</b>	<b>\$1,957,949</b>	<b>\$2,004,764</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COURT	3.000	3.000
Personal Services	\$282,894	\$291,417
All Other	\$19,257	\$19,273
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$302,151</b>	<b>\$310,690</b>

**Maine Environmental Protection Fund 0421**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COURT	62.000	62.000
POSITIONS - FTE COUNT	0.654	0.654
Personal Services	\$5,516,540	\$5,653,022
All Other	\$4,397,413	\$4,397,413
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$9,913,953</b>	<b>\$10,050,435</b>

**Maine Environmental Protection Fund 0421**

Initiative: Reallocates the cost of one Environmental Specialist III position from 100% Maine Environmental Protection Fund program, Other Special Revenue Funds to 50% Maine Environmental Protection Fund program, Other Special Revenue Funds and 50% Remediation and Waste Management program, Other Special Revenue Funds.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>	All Other	(\$2,017)	(\$2,033)
Personal Services	(\$40,120)	(\$40,435)			
All Other	(\$1,454)	(\$1,465)			
			<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$57,695)</b>	<b>(\$58,154)</b>
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$41,574)</b>	<b>(\$41,900)</b>			

**Maine Environmental Protection Fund 0421**

Initiative: Transfers one Engineer Technician III position from the Maine Environmental Protection Fund program, Other Special Revenue Funds to the Remediation and Waste Management program, Other Special Revenue Funds.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>			
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)			
Personal Services	(\$74,438)	(\$75,395)			
All Other	(\$2,697)	(\$2,732)			
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$77,135)</b>	<b>(\$78,127)</b>			

**Maine Environmental Protection Fund 0421**

Initiative: Transfers one Environmental Specialist III position from the Remediation and Waste Management program, Other Special Revenue Funds to the Maine Environmental Protection Fund program, Other Special Revenue Funds.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>			
POSITIONS - LEGISLATIVE COUNT	1.000	1.000			
Personal Services	\$75,713	\$79,491			
All Other	\$2,743	\$2,880			
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$78,456</b>	<b>\$82,371</b>			

**Maine Environmental Protection Fund 0421**

Initiative: Reallocates the cost of one Public Service Manager I position from 100% Maine Environmental Protection Fund program, Other Special Revenue Funds to 50% Maine Environmental Protection Fund program, Other Special Revenue Funds and 50% Land Resources program, Federal Expenditures Fund.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>			
Personal Services	(\$55,678)	(\$56,121)			

**Maine Environmental Protection Fund 0421**

Initiative: Transfers one Environmental Specialist III position and one Environmental Specialist IV position from the Land Resources program, General Fund to the Maine Environmental Protection Fund program, Other Special Revenue Funds.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>			
POSITIONS - LEGISLATIVE COUNT	2.000	2.000			
Personal Services	\$173,341	\$174,596			
All Other	\$6,280	\$6,326			
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$179,621</b>	<b>\$180,922</b>			

**Maine Environmental Protection Fund 0421**

Initiative: Transfers one Environmental Specialist IV position and one Environmental Engineer position from the Maine Environmental Protection Fund program, Other Special Revenue Funds to the Land Resources program, General Fund.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>			
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)			
Personal Services	(\$187,954)	(\$189,386)			
All Other	(\$6,810)	(\$6,861)			
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$194,764)</b>	<b>(\$196,247)</b>			

**Maine Environmental Protection Fund 0421**

Initiative: Transfers one Environmental Specialist III position and one Environmental Specialist IV position from the Remediation and Waste Management program, Other Special Revenue Funds to the Maine Environmental Protection Fund program, Other Special Revenue Funds and provides funding for associated All Other expenses.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>			
POSITIONS - LEGISLATIVE COUNT	2.000	2.000			
Personal Services	\$162,009	\$169,628			

All Other	\$28,667	\$28,943
	<hr/>	<hr/>
OTHER SPECIAL	\$190,676	\$198,571
REVENUE FUNDS TOTAL		

**Maine Environmental Protection Fund 0421**

Initiative: Transfers one Environmental Specialist III position from the Administration - Environmental Protection program, Other Special Revenue Funds to the Maine Environmental Protection Fund program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$75,566	\$79,335
All Other	\$2,738	\$2,874
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$78,304	\$82,209

**Maine Environmental Protection Fund 0421**

Initiative: Transfers one Public Service Coordinator I position from the Maine Environmental Protection Fund program, Other Special Revenue Funds to the Administration - Environmental Protection program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$94,731)	(\$99,022)
All Other	(\$3,432)	(\$3,588)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$98,163)	(\$102,610)

**Maine Environmental Protection Fund 0421**

Initiative: Provides funding for equipment purchases that are essential for the State to meet its obligation to monitor and maintain baseline data about ambient air quality.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Capital Expenditures	\$100,450	\$95,400
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$100,450	\$95,400

**MAINE ENVIRONMENTAL PROTECTION FUND 0421**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	64.000	64.000
POSITIONS - FTE COUNT	0.654	0.654
Personal Services	\$5,550,248	\$5,695,713
All Other	\$4,421,431	\$4,421,757
Capital Expenditures	\$100,450	\$95,400
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,072,129	\$10,212,870

**Performance Partnership Grant 0851**

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	68.000	68.000
POSITIONS - FTE COUNT	0.596	0.596
Personal Services	\$6,102,210	\$6,212,680
All Other	\$3,555,006	\$3,555,006
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$9,657,216	\$9,767,686

**Performance Partnership Grant 0851**

Initiative: Transfers one Public Service Manager II position and 2 Environmental Specialist III positions from the Performance Partnership Grant program, Federal Expenditures Fund to the Remediation and Waste Management program, Other Special Revenue Funds.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$278,964)	(\$284,065)
All Other	(\$10,098)	(\$10,292)
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	(\$289,062)	(\$294,357)

**Performance Partnership Grant 0851**

Initiative: Transfers one Environmental Specialist III position from the Performance Partnership Grant program, Federal Expenditures Fund to the Remediation and Waste Management program, General Fund.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$78,844)	(\$79,472)
All Other	(\$2,857)	(\$2,879)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$81,701)</b>	<b>(\$82,351)</b>

**Performance Partnership Grant 0851**

Initiative: Transfers one Environmental Specialist III position from the Performance Partnership Grant program, Federal Expenditures Fund to the Administration - Environmental Protection program, Other Special Revenue Funds.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$88,232)	(\$89,359)
All Other	(\$3,197)	(\$3,237)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$91,429)</b>	<b>(\$92,596)</b>

**Performance Partnership Grant 0851**

Initiative: Reallocates the cost of one Environmental Specialist IV position from 100% Performance Partnership Grant program, Federal Expenditures Fund to 50% Performance Partnership Grant program, Federal Expenditures Fund and 50% Air Quality program, General Fund.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	(\$44,503)	(\$47,120)
All Other	(\$1,612)	(\$1,707)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$46,115)</b>	<b>(\$48,827)</b>

**Performance Partnership Grant 0851**

Initiative: Transfers one Public Service Manager II position from the Performance Partnership Grant program, Federal Expenditures Fund to the Water Quality program, General Fund.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$132,688)	(\$133,879)
All Other	(\$4,807)	(\$4,850)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$137,495)</b>	<b>(\$138,729)</b>

**Performance Partnership Grant 0851**

Initiative: Transfers one Biologist III position from the Water Quality program, General Fund to the Performance Partnership Grant program, Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$112,057	\$113,095
All Other	\$4,060	\$4,097
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$116,117</b>	<b>\$117,192</b>

**Performance Partnership Grant 0851**

Initiative: Reallocates 50% of one Biologist III position from the Water Quality program, Other Special Revenue Funds to the Performance Partnership Grant program, Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$55,126	\$55,571
All Other	\$1,997	\$2,013
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$57,123</b>	<b>\$57,584</b>

**Performance Partnership Grant 0851**

Initiative: Reallocates the cost of one Biologist I position from 100% Performance Partnership Grant program, Federal Expenditures Fund to 50% Performance Partnership Grant program, Federal Expenditures Fund and 50% Water Quality program, Other Special Revenue Funds.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	(\$41,720)	(\$43,476)
All Other	(\$1,512)	(\$1,575)

FEDERAL EXPENDITURES	(\$43,232)	(\$45,051)
FUND TOTAL		

OTHER SPECIAL	\$28,263,547	\$28,416,170
REVENUE FUNDS TOTAL		

**PERFORMANCE PARTNERSHIP GRANT 0851**

**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	63.000	63.000
POSITIONS - FTE COUNT	0.596	0.596
Personal Services	\$5,604,442	\$5,703,975
All Other	\$3,536,980	\$3,536,576
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$9,141,422</b>	<b>\$9,240,551</b>

**Remediation and Waste Management 0247**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$629,495	\$644,099
All Other	\$158,194	\$158,194
<b>GENERAL FUND TOTAL</b>	<b>\$787,689</b>	<b>\$802,293</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$1,899,324	\$1,931,718
All Other	\$2,380,266	\$2,380,266
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$4,279,590</b>	<b>\$4,311,984</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	98.000	98.000
POSITIONS - FTE COUNT	0.308	0.308
Personal Services	\$9,457,315	\$9,609,938
All Other	\$18,806,232	\$18,806,232

**Remediation and Waste Management 0247**

Initiative: Reallocates the cost of one Environmental Specialist III position from 100% Maine Environmental Protection Fund program, Other Special Revenue Funds to 50% Maine Environmental Protection Fund program, Other Special Revenue Funds and 50% Remediation and Waste Management program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$40,120	\$40,435
All Other	\$1,454	\$1,465
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$41,574</b>	<b>\$41,900</b>

**Remediation and Waste Management 0247**

Initiative: Transfers one Public Service Manager II position and 2 Environmental Specialist III positions from the Performance Partnership Grant program, Federal Expenditures Fund to the Remediation and Waste Management program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$278,964	\$284,065
All Other	\$10,098	\$10,292
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$289,062</b>	<b>\$294,357</b>

**Remediation and Waste Management 0247**

Initiative: Transfers one Certified Environmental Hydrogeologist position and one Environmental Specialist III position from the Federal Expenditures Fund to Other Special Revenue Funds within the same program.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$162,796)	(\$164,480)
All Other	(\$5,898)	(\$5,959)

FEDERAL EXPENDITURES FUND TOTAL	(\$168,694)	(\$170,439)
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$162,796	\$164,480
All Other	\$5,898	\$5,959
OTHER SPECIAL REVENUE FUNDS TOTAL	\$168,694	\$170,439

**Remediation and Waste Management 0247**

Initiative: Transfers one Environmental Specialist IV position, one Certified Environmental Hydrogeologist position, and one Environmental Hydrogeologist Specialist position from Other Special Revenue Funds to the Federal Expenditures Fund within the same program.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$291,156	\$294,371
All Other	\$10,549	\$10,666
FEDERAL EXPENDITURES FUND TOTAL	\$301,705	\$305,037

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$291,156)	(\$294,371)
All Other	(\$10,549)	(\$10,666)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$301,705)	(\$305,037)

**Remediation and Waste Management 0247**

Initiative: Transfers one Engineer Technician III position from the Maine Environmental Protection Fund program, Other Special Revenue Funds to the Remediation and Waste Management program, Other Special Revenue Funds.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$74,438	\$75,395
All Other	\$2,697	\$2,732
OTHER SPECIAL REVENUE FUNDS TOTAL	\$77,135	\$78,127

**Remediation and Waste Management 0247**

Initiative: Transfers one Oil and Hazardous Material Specialist II position from the General Fund to the Federal Expenditures Fund within the same program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$92,357)	(\$93,538)
GENERAL FUND TOTAL	(\$92,357)	(\$93,538)

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$92,357	\$93,538
All Other	\$3,346	\$3,389
FEDERAL EXPENDITURES FUND TOTAL	\$95,703	\$96,927

**Remediation and Waste Management 0247**

Initiative: Transfers one Environmental Specialist III position from the Federal Expenditures Fund to the General Fund within the same program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$58,748	\$61,528
GENERAL FUND TOTAL	\$58,748	\$61,528

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$58,748)	(\$61,528)
All Other	(\$2,128)	(\$2,229)

FEDERAL EXPENDITURES	(\$60,876)	(\$63,757)
FUND TOTAL		

OTHER SPECIAL	\$100,354	\$101,167
REVENUE FUNDS TOTAL		

**Remediation and Waste Management 0247**

Initiative: Transfers one Environmental Specialist III position from the Performance Partnership Grant program, Federal Expenditures Fund to the Remediation and Waste Management program, General Fund.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$78,844	\$79,472
<b>GENERAL FUND TOTAL</b>	<b>\$78,844</b>	<b>\$79,472</b>

**Remediation and Waste Management 0247**

Initiative: Transfers one Environmental Specialist III position from the Remediation and Waste Management program, Other Special Revenue Funds to the Maine Environmental Protection Fund program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$75,713)	(\$79,491)
All Other	(\$2,743)	(\$2,880)

**Remediation and Waste Management 0247**

Initiative: Transfers one Environmental Specialist III position from the General Fund to Other Special Revenue Funds within the same program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$78,766)	(\$80,171)
<b>GENERAL FUND TOTAL</b>	<b>(\$78,766)</b>	<b>(\$80,171)</b>

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$78,456)	(\$82,371)
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**Remediation and Waste Management 0247**

Initiative: Transfers one Environmental Specialist III position and one Environmental Specialist IV position from the Remediation and Waste Management program, Other Special Revenue Funds to the Maine Environmental Protection Fund program, Other Special Revenue Funds and provides funding for associated All Other expenses.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$162,009)	(\$169,628)
All Other	(\$5,870)	(\$6,146)

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$78,766	\$80,171
All Other	\$2,854	\$2,905

OTHER SPECIAL REVENUE FUNDS TOTAL	\$81,620	\$83,076
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OTHER SPECIAL REVENUE FUNDS TOTAL	(\$167,879)	(\$175,774)
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**Remediation and Waste Management 0247**

Initiative: Transfers one Environmental Specialist IV position from the Administration - Environmental Protection program, Other Special Revenue Funds to the Remediation and Waste Management program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$96,845	\$97,630
All Other	\$3,509	\$3,537

**Remediation and Waste Management 0247**

Initiative: Provides one-time funding to meet the match requirement for the clean-up of the Callahan Mine site in fiscal year 2018-19.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$1,500,000

GENERAL FUND TOTAL	\$0	\$1,500,000
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**Remediation and Waste Management 0247**

Initiative: Provides funding for the pass-through of funds to municipalities for landfill closures from the collected construction demolition debris fees.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$450,000	\$450,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$450,000	\$450,000

**Remediation and Waste Management 0247**

Initiative: Reduces funding to align allocations with projected available resources.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$1,037,893)	(\$1,037,893)
FEDERAL EXPENDITURES FUND TOTAL	(\$1,037,893)	(\$1,037,893)
OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$1,065,349)	(\$1,587,393)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$1,065,349)	(\$1,587,393)

**Remediation and Waste Management 0247**

Initiative: Provides funding for equipment purchases that are essential for the State to meet its obligation for investigating and cleaning up spilled hazardous materials and petroleum products.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Capital Expenditures	\$206,000	\$81,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$206,000	\$81,000

**REMEDIATION AND WASTE MANAGEMENT 0247**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$595,964	\$611,390
All Other	\$158,194	\$1,658,194

GENERAL FUND TOTAL	2017-18	2018-19
GENERAL FUND TOTAL	\$754,158	\$2,269,584
FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	23.000	23.000
Personal Services	\$2,061,293	\$2,093,619
All Other	\$1,348,242	\$1,348,240

FEDERAL EXPENDITURES FUND TOTAL	\$3,409,535	\$3,441,859
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	100.000	100.000
POSITIONS - FTE COUNT	0.308	0.308
Personal Services	\$9,660,366	\$9,808,624
All Other	\$18,198,231	\$17,676,037
Capital Expenditures	\$206,000	\$81,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$28,064,597	\$27,565,661
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**Water Quality 0248**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	23.000	23.000
Personal Services	\$2,190,846	\$2,237,055
All Other	\$563,132	\$563,132

GENERAL FUND TOTAL	\$2,753,978	\$2,800,187
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$193,266	\$194,707
All Other	\$356,685	\$356,685

FEDERAL EXPENDITURES FUND TOTAL	\$549,951	\$551,392
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	15,000	15,000
Personal Services	\$1,308,120	\$1,326,125
All Other	\$2,388,390	\$2,388,390
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$3,696,510</b>	<b>\$3,714,515</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$55,126)	(\$55,571)
All Other	(\$1,997)	(\$2,013)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$57,123)</b>	<b>(\$57,584)</b>

**Water Quality 0248**

Initiative: Transfers one Environmental Specialist IV position from the Water Quality program, General Fund to the Administration - Environmental Protection program, General Fund.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$95,201)	(\$95,854)
<b>GENERAL FUND TOTAL</b>	<b>(\$95,201)</b>	<b>(\$95,854)</b>

**Water Quality 0248**

Initiative: Reallocates the cost of one Biologist I position from 100% Performance Partnership Grant program, Federal Expenditures Fund to 50% Performance Partnership Grant program, Federal Expenditures Fund and 50% Water Quality program, Other Special Revenue Funds.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$41,720	\$43,476
All Other	\$1,512	\$1,575
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$43,232</b>	<b>\$45,051</b>

**Water Quality 0248**

Initiative: Transfers one Public Service Manager II position from the Performance Partnership Grant program, Federal Expenditures Fund to the Water Quality program, General Fund.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$132,688	\$133,879
<b>GENERAL FUND TOTAL</b>	<b>\$132,688</b>	<b>\$133,879</b>

**Water Quality 0248**

Initiative: Reduces funding to align allocations with projected available resources.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$100,000)	(\$100,000)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$100,000)</b>	<b>(\$100,000)</b>

**Water Quality 0248**

Initiative: Transfers one Biologist III position from the Water Quality program, General Fund to the Performance Partnership Grant program, Federal Expenditures Fund.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$112,057)	(\$113,095)
<b>GENERAL FUND TOTAL</b>	<b>(\$112,057)</b>	<b>(\$113,095)</b>

**Water Quality 0248**

Initiative: Reorganizes one Assistant Environmental Engineer position to an Environmental Engineer position and provides funding for related STA-CAP.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$4,790	\$5,005
All Other	\$174	\$181
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$4,964</b>	<b>\$5,186</b>

**Water Quality 0248**

Initiative: Reallocates 50% of one Biologist III position from the Water Quality program, Other Special Revenue Funds to the Performance Partnership Grant program, Federal Expenditures Fund.

**WATER QUALITY 0248 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COUNT	22,000	22,000
Personal Services	\$2,116,276	\$2,161,985
All Other	\$563,132	\$563,132
<b>GENERAL FUND TOTAL</b>	<b>\$2,679,408</b>	<b>\$2,725,117</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$193,266	\$194,707
All Other	\$356,685	\$356,685
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$549,951</b>	<b>\$551,392</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	15,000	15,000
Personal Services	\$1,299,504	\$1,319,035
All Other	\$2,288,079	\$2,288,133
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$3,587,583</b>	<b>\$3,607,168</b>

<b>ENVIRONMENTAL PROTECTION, DEPARTMENT OF DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	<b>\$7,811,573</b>	<b>\$9,457,254</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$14,431,705</b>	<b>\$14,576,077</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$48,138,525</b>	<b>\$47,842,942</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$70,381,803</b>	<b>\$71,876,273</b>

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$141,628	\$146,525
All Other	\$8,897	\$8,897
<b>GENERAL FUND TOTAL</b>	<b>\$150,525</b>	<b>\$155,422</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$427,467	\$436,866
All Other	\$1,955,899	\$1,955,899
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,383,366</b>	<b>\$2,392,765</b>

**Governmental Ethics and Election Practices - Commission on 0414**

Initiative: Establishes one project Planning and Research Assistant position needed to administer the 2018 election. This position begins on January 1, 2018 and ends on December 31, 2018 and provides funding for related All Other costs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$33,561	\$38,675
All Other	\$578	\$587
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$34,139</b>	<b>\$39,262</b>

**Governmental Ethics and Election Practices - Commission on 0414**

Initiative: Establishes one project Planning and Research Assistant position needed to administer the 2018 election. This position begins on March 1, 2018 and ends on October 31, 2018 and provides funding for related All Other costs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$22,243	\$24,364
All Other	\$383	\$389
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$22,626</b>	<b>\$24,753</b>

**Governmental Ethics and Election Practices - Commission on 0414**

**Sec. A-26. Appropriations and allocations.**

The following appropriations and allocations are made.

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

**Governmental Ethics and Election Practices - Commission on 0414**

Initiative: BASELINE BUDGET

Initiative: Provides funding to Quest Information Systems for contracted support and technology services.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$16,754	\$16,754
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$16,754</b>	<b>\$16,754</b>

**Governmental Ethics and Election Practices - Commission on 0414**

Initiative: Provides funding for yearly hosting services to the Maine Information Network.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$2,034	\$2,034
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,034</b>	<b>\$2,034</b>

**Governmental Ethics and Election Practices - Commission on 0414**

Initiative: Provides funding for STA-CAP costs.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$11,382	\$13,672
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$11,382</b>	<b>\$13,672</b>

**GOVERNMENTAL ETHICS AND ELECTION PRACTICES - COMMISSION ON 0414**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$141,628	\$146,525
All Other	\$8,897	\$8,897
<b>GENERAL FUND TOTAL</b>	<b>\$150,525</b>	<b>\$155,422</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$483,271	\$499,905
All Other	\$1,987,030	\$1,989,335

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,470,301	\$2,489,240
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ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL DEPARTMENT TOTALS	2017-18	2018-19
<b>GENERAL FUND</b>	<b>\$150,525</b>	<b>\$155,422</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$2,470,301</b>	<b>\$2,489,240</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$2,620,826</b>	<b>\$2,644,662</b>

<b>GENERAL FUND</b>	<b>\$150,525</b>	<b>\$155,422</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$2,470,301</b>	<b>\$2,489,240</b>

<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$2,620,826</b>	<b>\$2,644,662</b>
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**Sec. A-27. Appropriations and allocations.**  
The following appropriations and allocations are made.

**EXECUTIVE DEPARTMENT**

**Administration - Executive - Governor's Office 0165**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	21.500	21.500
Personal Services	\$2,513,697	\$2,623,622
All Other	\$425,794	\$425,794

<b>GENERAL FUND TOTAL</b>	<b>\$2,939,491</b>	<b>\$3,049,416</b>
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$89,857	\$94,051
All Other	\$115,014	\$115,014

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$204,871</b>	<b>\$209,065</b>
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>
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**Administration - Executive - Governor's Office  
0165**

Initiative: Transfers All Other funding from the Administration - Executive - Governor's Office program to the Blaine House program within the same fund for increased technology costs.

GENERAL FUND	2017-18	2018-19
All Other	(\$2,285)	(\$2,550)
<b>GENERAL FUND TOTAL</b>	<b>(\$2,285)</b>	<b>(\$2,550)</b>

FEDERAL EXPENDITURES FUND TOTAL	2017-18	2018-19
FEDERAL EXPENDITURES FUND TOTAL	\$115,014	\$115,014
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Administration - Executive - Governor's Office  
0165**

Initiative: Eliminates one vacant Governor's Special Assistant position and reduces All Other funding.

GENERAL FUND	2017-18	2018-19
Personal Services	(\$15,858)	(\$16,597)
All Other	(\$86,033)	(\$86,033)
<b>GENERAL FUND TOTAL</b>	<b>(\$101,891)</b>	<b>(\$102,630)</b>

**Blaine House 0072**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
POSITIONS - FTE COUNT	0.684	0.684
Personal Services	\$598,521	\$626,805
All Other	\$69,505	\$69,505
<b>GENERAL FUND TOTAL</b>	<b>\$668,026</b>	<b>\$696,310</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$89,857)	(\$94,051)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$89,857)</b>	<b>(\$94,051)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$5,240	\$5,240
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$5,240</b>	<b>\$5,240</b>

**ADMINISTRATION - EXECUTIVE - GOVERNOR'S OFFICE 0165  
PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	21.500	21.500
Personal Services	\$2,497,839	\$2,607,025
All Other	\$337,476	\$337,211
<b>GENERAL FUND TOTAL</b>	<b>\$2,835,315</b>	<b>\$2,944,236</b>

**Blaine House 0072**

Initiative: Transfers All Other funding from the Administration - Executive - Governor's Office program to the Blaine House program within the same fund for increased technology costs.

GENERAL FUND	2017-18	2018-19
All Other	\$2,285	\$2,550
<b>GENERAL FUND TOTAL</b>	<b>\$2,285</b>	<b>\$2,550</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$115,014	\$115,014

**BLAINE HOUSE 0072**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
POSITIONS - FTE COUNT	0.684	0.684

Personal Services	\$598,521	\$626,805
All Other	\$71,790	\$72,055
<b>GENERAL FUND TOTAL</b>	<b>\$670,311</b>	<b>\$698,860</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$5,240	\$5,240
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$5,240</b>	<b>\$5,240</b>

**Governor's Energy Office Z122**

Initiative: BASELINE BUDGET

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$270,618	\$283,133
All Other	\$1,894,100	\$1,894,100
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,164,718</b>	<b>\$2,177,233</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$151,934	\$158,409
All Other	\$100,000	\$100,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$251,934</b>	<b>\$258,409</b>

**GOVERNOR'S ENERGY OFFICE Z122**

**PROGRAM SUMMARY**

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$270,618	\$283,133
All Other	\$1,894,100	\$1,894,100
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,164,718</b>	<b>\$2,177,233</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$151,934	\$158,409
All Other	\$100,000	\$100,000

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$251,934</b>	<b>\$258,409</b>
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**Governor's Legal Defense Fund N265**

Initiative: Provides funding for legal contingencies for which the Attorney General declines to represent the State. These funds may not lapse, but must be carried forward to be used for the same purposes.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500,000	\$500,000
<b>GENERAL FUND TOTAL</b>	<b>\$500,000</b>	<b>\$500,000</b>

**GOVERNOR'S LEGAL DEFENSE FUND N265**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500,000	\$500,000
<b>GENERAL FUND TOTAL</b>	<b>\$500,000</b>	<b>\$500,000</b>

**Office of Policy and Management Z135**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$848,359	\$869,432
All Other	\$142,223	\$142,223
<b>GENERAL FUND TOTAL</b>	<b>\$990,582</b>	<b>\$1,011,655</b>

**Office of Policy and Management Z135**

Initiative: Transfers one Public Service Executive II position and one Economist position and associated All Other from the Executive Department, Office of Policy and Management program to the Department of Administrative and Financial Services, Office of the Commissioner - Administrative and Financial Services program within the same fund. Employees retain all rights as classified employees, as well as all accrued fringe benefits, including, but not limited to, vacation and sick leave; health and life insurance; and retirement benefits.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$229,867)	(\$241,577)
All Other	(\$79,100)	(\$79,100)
<b>GENERAL FUND TOTAL</b>	<b>(\$308,967)</b>	<b>(\$320,677)</b>

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	9,000	9,000
Personal Services	\$1,188,994	\$1,215,135
All Other	\$683,987	\$683,987
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,872,981</b>	<b>\$1,899,122</b>

**OFFICE OF POLICY AND MANAGEMENT Z135**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	5,000	5,000
Personal Services	\$618,492	\$627,855
All Other	\$63,123	\$63,123
<b>GENERAL FUND TOTAL</b>	<b>\$681,615</b>	<b>\$690,978</b>

**PUBLIC ADVOCATE 0410 PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	9,000	9,000
Personal Services	\$1,188,994	\$1,215,135
All Other	\$683,987	\$683,987
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,872,981</b>	<b>\$1,899,122</b>

**Ombudsman Program 0103**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$116,539	\$116,539
<b>GENERAL FUND TOTAL</b>	<b>\$116,539</b>	<b>\$116,539</b>

**EXECUTIVE DEPARTMENT DEPARTMENT TOTALS**

	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	<b>\$4,803,780</b>	<b>\$4,950,613</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$2,336,882</b>	<b>\$2,349,397</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$2,130,655</b>	<b>\$2,163,271</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$9,271,317</b>	<b>\$9,463,281</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$57,150	\$57,150
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$57,150</b>	<b>\$57,150</b>

**OMBUDSMAN PROGRAM 0103 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$116,539	\$116,539
<b>GENERAL FUND TOTAL</b>	<b>\$116,539</b>	<b>\$116,539</b>

**Sec. A-28. Appropriations and allocations.**  
The following appropriations and allocations are made.

**FINANCE AUTHORITY OF MAINE Educational Opportunity Tax Credit Marketing Fund Z174**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$22,000	\$22,000
<b>GENERAL FUND TOTAL</b>	<b>\$22,000</b>	<b>\$22,000</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$57,150	\$57,150
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$57,150</b>	<b>\$57,150</b>

**Public Advocate 0410**

**EDUCATIONAL OPPORTUNITY TAX CREDIT  
MARKETING FUND Z174**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$22,000	\$22,000
<b>GENERAL FUND TOTAL</b>	<b>\$22,000</b>	<b>\$22,000</b>

**FHM - Dental Education 0951**

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2017-18	2018-19
All Other	\$237,740	\$237,740
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$237,740</b>	<b>\$237,740</b>

**FHM - DENTAL EDUCATION 0951**

**PROGRAM SUMMARY**

FUND FOR A HEALTHY MAINE	2017-18	2018-19
All Other	\$237,740	\$237,740
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$237,740</b>	<b>\$237,740</b>

**FHM - Health Education Centers 0950**

Initiative: BASELINE BUDGET

FUND FOR A HEALTHY MAINE	2017-18	2018-19
All Other	\$110,000	\$110,000
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$110,000</b>	<b>\$110,000</b>

**FHM - HEALTH EDUCATION CENTERS 0950**

**PROGRAM SUMMARY**

FUND FOR A HEALTHY MAINE	2017-18	2018-19
All Other	\$110,000	\$110,000
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$110,000</b>	<b>\$110,000</b>

**Small Enterprise Growth Fund Z235**

Initiative: Provides funding to avoid any interruption for fast-growing innovative companies that contribute to the State's prosperity.

GENERAL FUND	2017-18	2018-19
All Other	\$500,000	\$500,000
<b>GENERAL FUND TOTAL</b>	<b>\$500,000</b>	<b>\$500,000</b>

**SMALL ENTERPRISE GROWTH FUND Z235**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$500,000	\$500,000
<b>GENERAL FUND TOTAL</b>	<b>\$500,000</b>	<b>\$500,000</b>

**Student Financial Assistance Programs 0653**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$15,670,394	\$15,670,394
<b>GENERAL FUND TOTAL</b>	<b>\$15,670,394</b>	<b>\$15,670,394</b>

**STUDENT FINANCIAL ASSISTANCE  
PROGRAMS 0653**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$15,670,394	\$15,670,394
<b>GENERAL FUND TOTAL</b>	<b>\$15,670,394</b>	<b>\$15,670,394</b>

**Waste Motor Oil Disposal Site Remediation Program Z060**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$5,000,000	\$5,000,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$5,000,000</b>	<b>\$5,000,000</b>

**WASTE MOTOR OIL DISPOSAL SITE  
REMEDIATION PROGRAM Z060**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$5,000,000	\$5,000,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,000,000	\$5,000,000
<b>FINANCE AUTHORITY OF MAINE</b>		
<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
GENERAL FUND	\$16,192,394	\$16,192,394
FUND FOR A HEALTHY MAINE	\$347,740	\$347,740
OTHER SPECIAL REVENUE FUNDS	\$5,000,000	\$5,000,000
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$21,540,134</b>	<b>\$21,540,134</b>

**Sec. A-29. Appropriations and allocations.**  
The following appropriations and allocations are made.

**FIRE PROTECTION SERVICES COMMISSION, MAINE**

**Maine Fire Protection Services Commission 0936**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$2,000	\$2,000
<b>GENERAL FUND TOTAL</b>	<b>\$2,000</b>	<b>\$2,000</b>

**MAINE FIRE PROTECTION SERVICES COMMISSION 0936**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$2,000	\$2,000
<b>GENERAL FUND TOTAL</b>	<b>\$2,000</b>	<b>\$2,000</b>

**Sec. A-30. Appropriations and allocations.**  
The following appropriations and allocations are made.

**FOUNDATION FOR BLOOD RESEARCH**

**ScienceWorks for ME 0908**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$52,175	\$52,175
<b>GENERAL FUND TOTAL</b>	<b>\$52,175</b>	<b>\$52,175</b>

**ScienceWorks for ME 0908**

Initiative: Reduces funding to eliminate the Science-Works for ME program.

GENERAL FUND	2017-18	2018-19
All Other	(\$52,175)	(\$52,175)
<b>GENERAL FUND TOTAL</b>	<b>(\$52,175)</b>	<b>(\$52,175)</b>

**SCIENCEWORKS FOR ME 0908 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**FOUNDATION FOR BLOOD RESEARCH**

**DEPARTMENT TOTALS**

GENERAL FUND	2017-18	2018-19
	\$0	\$0
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>

**Sec. A-31. Appropriations and allocations.**  
The following appropriations and allocations are made.

**HARNESS RACING PROMOTIONAL BOARD**

**Harness Racing Promotional Board 0873**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$188,651	\$188,651
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$188,651</b>	<b>\$188,651</b>

**HARNESS RACING PROMOTIONAL BOARD 0873**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$188,651	\$188,651
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$188,651</b>	<b>\$188,651</b>

**Sec. A-32. Appropriations and allocations.**

The following appropriations and allocations are made.

**HEALTH DATA ORGANIZATION, MAINE**

**Maine Health Data Organization 0848**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$554,580	\$571,124
All Other	\$1,462,940	\$1,462,940
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,017,520	\$2,034,064

**MAINE HEALTH DATA ORGANIZATION 0848**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$554,580	\$571,124
All Other	\$1,462,940	\$1,462,940
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,017,520	\$2,034,064

**Sec. A-33. Appropriations and allocations.**

The following appropriations and allocations are made.

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

**Brain Injury Z041**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$435,693	\$454,715
All Other	\$29,928	\$29,928
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$465,621	\$484,643

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$150,000	\$150,000

FEDERAL EXPENDITURES FUND TOTAL	<hr/>	<hr/>
	\$150,000	\$150,000

**Brain Injury Z041**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(6.000)	(6.000)
Personal Services	(\$435,693)	(\$454,715)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$435,693)	(\$454,715)

**Brain Injury Z041**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$29,928)	(\$29,928)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$29,928)	(\$29,928)

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$150,000)	(\$150,000)
	<hr/>	<hr/>

FEDERAL EXPENDITURES FUND TOTAL	<hr/>	<hr/>
	(\$150,000)	(\$150,000)

**BRAIN INJURY Z041 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Bridging Rental Assistance Program Z183**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$6,606,361	\$6,606,361
<b>GENERAL FUND TOTAL</b>	<b>\$6,606,361</b>	<b>\$6,606,361</b>

**Bridging Rental Assistance Program Z183**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	(\$6,606,361)	(\$6,606,361)
<b>GENERAL FUND TOTAL</b>	<b>(\$6,606,361)</b>	<b>(\$6,606,361)</b>

**BRIDGING RENTAL ASSISTANCE PROGRAM Z183**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Consent Decree Z163**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$5,797,300	\$5,797,300
<b>GENERAL FUND TOTAL</b>	<b>\$5,797,300</b>	<b>\$5,797,300</b>

**Consent Decree Z163**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to con-

solidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	(\$5,797,300)	(\$5,797,300)
<b>GENERAL FUND TOTAL</b>	<b>(\$5,797,300)</b>	<b>(\$5,797,300)</b>

**CONSENT DECREE Z163**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Consumer-directed Services Z043**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$91,316	\$95,918
All Other	\$2,148,342	\$2,148,342
<b>GENERAL FUND TOTAL</b>	<b>\$2,239,658</b>	<b>\$2,244,260</b>

**Consumer-directed Services Z043**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$91,316)	(\$95,918)
<b>GENERAL FUND TOTAL</b>	<b>(\$91,316)</b>	<b>(\$95,918)</b>

**Consumer-directed Services Z043**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	(\$2,148,342)	(\$2,148,342)
<b>GENERAL FUND TOTAL</b>	<b>(\$2,148,342)</b>	<b>(\$2,148,342)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	(\$1,677,337)	(\$1,717,713)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$1,677,337)</b>	<b>(\$1,717,713)</b>

**CONSUMER-DIRECTED SERVICES Z043**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Crisis Outreach Program Z136**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	(\$121,689)	(\$121,689)
<b>GENERAL FUND TOTAL</b>	<b>(\$121,689)</b>	<b>(\$121,689)</b>

**Crisis Outreach Program Z136**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	46.000	46.000
Personal Services	\$1,845,785	\$1,890,221
All Other	\$121,689	\$121,689
<b>GENERAL FUND TOTAL</b>	<b>\$1,967,474</b>	<b>\$2,011,910</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$113,333)	(\$113,333)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$113,333)</b>	<b>(\$113,333)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$1,677,337	\$1,717,713
All Other	\$113,333	\$113,333
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,790,670</b>	<b>\$1,831,046</b>

**CRISIS OUTREACH PROGRAM Z136 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Crisis Outreach Program Z136**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(46.000)	(46.000)
Personal Services	(\$1,845,785)	(\$1,890,221)
<b>GENERAL FUND TOTAL</b>	<b>(\$1,845,785)</b>	<b>(\$1,890,221)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Developmental Services - Community 0122**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	176,500	176,500
Personal Services	\$14,005,090	\$14,352,261
All Other	\$8,703,651	\$8,703,651
<b>GENERAL FUND TOTAL</b>	<b>\$22,708,741</b>	<b>\$23,055,912</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$50,000	\$50,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$50,000</b>	<b>\$50,000</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$400,747	\$400,747
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$400,747</b>	<b>\$400,747</b>

**Developmental Services - Community 0122**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(176,500)	(176,500)
Personal Services	(\$14,005,090)	(\$14,352,261)
<b>GENERAL FUND TOTAL</b>	<b>(\$14,005,090)</b>	<b>(\$14,352,261)</b>

**Developmental Services - Community 0122**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$8,703,651)	(\$8,703,651)
<b>GENERAL FUND TOTAL</b>	<b>(\$8,703,651)</b>	<b>(\$8,703,651)</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$50,000)	(\$50,000)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$50,000)</b>	<b>(\$50,000)</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$400,747)	(\$400,747)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$400,747)</b>	<b>(\$400,747)</b>

**DEVELOPMENTAL SERVICES - COMMUNITY 0122**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Developmental Services Waiver - MaineCare 0987**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$101,037,889	\$101,037,889
<b>GENERAL FUND TOTAL</b>	<b>\$101,037,889</b>	<b>\$101,037,889</b>

**Developmental Services Waiver - MaineCare 0987**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	(\$101,037,889)	(\$101,037,889)
<b>GENERAL FUND TOTAL</b>	<b>(\$101,037,889)</b>	<b>(\$101,037,889)</b>

**DEVELOPMENTAL SERVICES WAIVER - MAINECARE 0987**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Developmental Services Waiver - Supports Z006**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$18,189,263	\$18,189,263
<b>GENERAL FUND TOTAL</b>	<b>\$18,189,263</b>	<b>\$18,189,263</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$86,000	\$86,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$86,000</b>	<b>\$86,000</b>

**Developmental Services Waiver - Supports Z006**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	(\$18,189,263)	(\$18,189,263)
<b>GENERAL FUND TOTAL</b>	<b>(\$18,189,263)</b>	<b>(\$18,189,263)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$86,000)	(\$86,000)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$86,000)</b>	<b>(\$86,000)</b>

**DEVELOPMENTAL SERVICES WAIVER - SUPPORTS Z006**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Disproportionate Share - Dorothea Dix Psychiatric Center 0734**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
Personal Services	\$6,801,838	\$6,931,751
All Other	\$405,995	\$405,995
<b>GENERAL FUND TOTAL</b>	<b>\$7,207,833</b>	<b>\$7,337,746</b>

**Disproportionate Share - Dorothea Dix Psychiatric Center 0734**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
Personal Services	(\$6,801,838)	(\$6,931,751)
<b>GENERAL FUND TOTAL</b>	<b>(\$6,801,838)</b>	<b>(\$6,931,751)</b>

**Disproportionate Share - Dorothea Dix Psychiatric Center 0734**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	(\$405,995)	(\$405,995)
<b>GENERAL FUND TOTAL</b>	<b>(\$405,995)</b>	<b>(\$405,995)</b>

**DISPROPORTIONATE SHARE - DOROTHEA DIX PSYCHIATRIC CENTER 0734**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Disproportionate Share - Riverview Psychiatric Center 0733**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
Personal Services	\$11,326,256	\$11,594,326
All Other	\$3,292,140	\$3,292,140
<b>GENERAL FUND TOTAL</b>	<b>\$14,618,396</b>	<b>\$14,886,466</b>

**Disproportionate Share - Riverview Psychiatric Center 0733**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
Personal Services	(\$11,326,256)	(\$11,594,326)
<b>GENERAL FUND TOTAL</b>	<b>(\$11,326,256)</b>	<b>(\$11,594,326)</b>

**Disproportionate Share - Riverview Psychiatric Center 0733**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in

the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	(\$3,292,140)	(\$3,292,140)
<b>GENERAL FUND TOTAL</b>	<b>(\$3,292,140)</b>	<b>(\$3,292,140)</b>

**DISPROPORTIONATE SHARE - RIVERVIEW PSYCHIATRIC CENTER 0733**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Dorothea Dix Psychiatric Center 0120**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$2,542,084	\$2,542,084
<b>GENERAL FUND TOTAL</b>	<b>\$2,542,084</b>	<b>\$2,542,084</b>

**OTHER SPECIAL REVENUE FUNDS**

	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	197,000	197,000
Personal Services	\$11,418,941	\$11,636,809
All Other	\$2,704,580	\$2,704,580
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$14,123,521</b>	<b>\$14,341,389</b>

**Dorothea Dix Psychiatric Center 0120**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(197,000)	(197,000)
Personal Services	(\$11,418,941)	(\$11,636,809)

OTHER SPECIAL	(\$11,418,941)	(\$11,636,809)
REVENUE FUNDS TOTAL		

**Dorothea Dix Psychiatric Center 0120**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	(\$2,542,084)	(\$2,542,084)
GENERAL FUND TOTAL	(\$2,542,084)	(\$2,542,084)

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$2,704,580)	(\$2,704,580)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$2,704,580)	(\$2,704,580)

**DOROTHEA DIX PSYCHIATRIC CENTER 0120 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

**Driver Education and Evaluation Program - Office of Substance Abuse and Mental Health Services 0700**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	8.000	8.000

Personal Services	\$597,157	\$612,359
All Other	\$1,028,931	\$1,028,931
GENERAL FUND TOTAL	\$1,626,088	\$1,641,290

**Driver Education and Evaluation Program - Office of Substance Abuse and Mental Health Services 0700**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(8.000)	(8.000)
Personal Services	(\$597,157)	(\$612,359)
GENERAL FUND TOTAL	(\$597,157)	(\$612,359)

**Driver Education and Evaluation Program - Office of Substance Abuse and Mental Health Services 0700**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	(\$1,028,931)	(\$1,028,931)
GENERAL FUND TOTAL	(\$1,028,931)	(\$1,028,931)

**DRIVER EDUCATION AND EVALUATION PROGRAM - OFFICE OF SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES 0700**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

**Forensic Services Z123**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	6,000	6,000
Personal Services	\$624,846	\$631,477
All Other	\$98,192	\$98,192
<b>GENERAL FUND TOTAL</b>	<b>\$723,038</b>	<b>\$729,669</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$17,172	\$17,172
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$17,172</b>	<b>\$17,172</b>

**Forensic Services Z123**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(6,000)	(6,000)
Personal Services	(\$624,846)	(\$631,477)
<b>GENERAL FUND TOTAL</b>	<b>(\$624,846)</b>	<b>(\$631,477)</b>

**Forensic Services Z123**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	(\$98,192)	(\$98,192)
<b>GENERAL FUND TOTAL</b>	<b>(\$98,192)</b>	<b>(\$98,192)</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$17,172)	(\$17,172)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$17,172)	(\$17,172)
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**FORENSIC SERVICES Z123 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Medicaid Services - Developmental Services 0705**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$25,682,003	\$25,682,003
<b>GENERAL FUND TOTAL</b>	<b>\$25,682,003</b>	<b>\$25,682,003</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$18,485,695	\$18,485,695
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$18,485,695</b>	<b>\$18,485,695</b>

**Medicaid Services - Developmental Services 0705**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	(\$25,682,003)	(\$25,682,003)
<b>GENERAL FUND TOTAL</b>	<b>(\$25,682,003)</b>	<b>(\$25,682,003)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$18,485,695)	(\$18,485,695)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$18,485,695)</b>	<b>(\$18,485,695)</b>

All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**MEDICAID SERVICES - DEVELOPMENTAL SERVICES 0705**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Medicaid Waiver for Brain Injury Residential/Community Serv Z160**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$7,267,164	\$7,267,164
<b>GENERAL FUND TOTAL</b>	<b>\$7,267,164</b>	<b>\$7,267,164</b>

**Medicaid Waiver for Brain Injury Residential/Community Serv Z160**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	(\$7,267,164)	(\$7,267,164)
<b>GENERAL FUND TOTAL</b>	<b>(\$7,267,164)</b>	<b>(\$7,267,164)</b>

**MEDICAID WAIVER FOR BRAIN INJURY RESIDENTIAL /COMMUNITY SERV Z160**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
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**Medicaid Waiver for Other Related Conditions Z159**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$2,942,946	\$2,942,946
<b>GENERAL FUND TOTAL</b>	<b>\$2,942,946</b>	<b>\$2,942,946</b>

**Medicaid Waiver for Other Related Conditions Z159**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	(\$2,942,946)	(\$2,942,946)
<b>GENERAL FUND TOTAL</b>	<b>(\$2,942,946)</b>	<b>(\$2,942,946)</b>

**MEDICAID WAIVER FOR OTHER RELATED CONDITIONS Z159**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Mental Health Services - Child Medicaid 0731**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$34,262,243	\$34,262,243
<b>GENERAL FUND TOTAL</b>	<b>\$34,262,243</b>	<b>\$34,262,243</b>

**Mental Health Services - Child Medicaid 0731**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the department.

ments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	(\$34,262,243)	(\$34,262,243)
<b>GENERAL FUND TOTAL</b>	<b>(\$34,262,243)</b>	<b>(\$34,262,243)</b>

**MENTAL HEALTH SERVICES - CHILD MEDICAID 0731**  
**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Mental Health Services - Children 0136**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	48.000	48.000
Personal Services	\$4,127,812	\$4,232,314
All Other	\$12,016,003	\$12,016,003
<b>GENERAL FUND TOTAL</b>	<b>\$16,143,815</b>	<b>\$16,248,317</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$2,844,755	\$2,844,755
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,844,755</b>	<b>\$2,844,755</b>

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$960,388	\$960,388
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$960,388</b>	<b>\$960,388</b>

**Mental Health Services - Children 0136**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	(48.000)	(48.000)
Personal Services	(\$4,127,812)	(\$4,232,314)
<b>GENERAL FUND TOTAL</b>	<b>(\$4,127,812)</b>	<b>(\$4,232,314)</b>

**Mental Health Services - Children 0136**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	(\$12,016,003)	(\$12,016,003)
<b>GENERAL FUND TOTAL</b>	<b>(\$12,016,003)</b>	<b>(\$12,016,003)</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$2,844,755)	(\$2,844,755)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$2,844,755)</b>	<b>(\$2,844,755)</b>

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	(\$960,388)	(\$960,388)
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>(\$960,388)</b>	<b>(\$960,388)</b>

**MENTAL HEALTH SERVICES - CHILDREN 0136**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$0	\$0

FEDERAL EXPENDITURES	\$0	\$0
FUND TOTAL		
<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$0

**Mental Health Services - Community 0121**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	59,500	59,500
Personal Services	\$5,193,536	\$5,301,382
All Other	\$21,843,628	\$21,843,628
GENERAL FUND TOTAL	\$27,037,164	\$27,145,010

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$10,977,731	\$10,977,731
FEDERAL EXPENDITURES FUND TOTAL	\$10,977,731	\$10,977,731

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$20,000	\$20,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,000	\$20,000

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$960,388	\$960,388
FEDERAL BLOCK GRANT FUND TOTAL	\$960,388	\$960,388

**Mental Health Services - Community 0121**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of

the departments combined pursuant to Public Law 2003, chapter 689.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(59,500)	(59,500)
Personal Services	(\$5,193,536)	(\$5,301,382)
GENERAL FUND TOTAL	(\$5,193,536)	(\$5,301,382)

**Mental Health Services - Community 0121**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$21,843,628)	(\$21,843,628)
GENERAL FUND TOTAL	(\$21,843,628)	(\$21,843,628)

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$10,977,731)	(\$10,977,731)
FEDERAL EXPENDITURES FUND TOTAL	(\$10,977,731)	(\$10,977,731)

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$20,000)	(\$20,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$20,000)	(\$20,000)

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$960,388)	(\$960,388)
FEDERAL BLOCK GRANT FUND TOTAL	(\$960,388)	(\$960,388)

**MENTAL HEALTH SERVICES - COMMUNITY 0121**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000

Personal Services	\$0	\$0
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>
<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Mental Health Services - Community Medicaid 0732**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$39,547,419	\$39,547,419
<b>GENERAL FUND TOTAL</b>	<b>\$39,547,419</b>	<b>\$39,547,419</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$6,540,970	\$6,540,970
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$6,540,970</b>	<b>\$6,540,970</b>

**Mental Health Services - Community Medicaid 0732**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the depart-

ments combined pursuant to Public Law 2003, chapter 689.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$39,547,419)	(\$39,547,419)
<b>GENERAL FUND TOTAL</b>	<b>(\$39,547,419)</b>	<b>(\$39,547,419)</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$6,540,970)	(\$6,540,970)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$6,540,970)</b>	<b>(\$6,540,970)</b>

**MENTAL HEALTH SERVICES - COMMUNITY MEDICAID 0732**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Office of Advocacy - BDS 0632**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$326,815	\$326,815
<b>GENERAL FUND TOTAL</b>	<b>\$326,815</b>	<b>\$326,815</b>

**Office of Advocacy - BDS 0632**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$326,815)	(\$326,815)

GENERAL FUND TOTAL	(\$326,815)	(\$326,815)
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All Other	\$6,574,734	\$6,574,734
FEDERAL BLOCK GRANT FUND TOTAL	\$7,111,251	\$7,128,867

**OFFICE OF ADVOCACY - BDS 0632**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

**Office of Substance Abuse and Mental Health Services 0679**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

**Office of Substance Abuse and Mental Health Services 0679**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	11,000	11,000
Personal Services	\$980,461	\$1,009,116
All Other	\$12,124,142	\$12,124,142
GENERAL FUND TOTAL	\$13,104,603	\$13,133,258

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(11,000)	(11,000)
Personal Services	(\$980,461)	(\$1,009,116)
GENERAL FUND TOTAL	(\$980,461)	(\$1,009,116)

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$2,897,488	\$2,897,488
FEDERAL EXPENDITURES FUND TOTAL	\$2,897,488	\$2,897,488

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(7,000)	(7,000)
Personal Services	(\$536,517)	(\$554,133)
FEDERAL BLOCK GRANT FUND TOTAL	(\$536,517)	(\$554,133)

FUND FOR A HEALTHY MAINE	2017-18	2018-19
All Other	\$1,848,306	\$1,848,306
FUND FOR A HEALTHY MAINE TOTAL	\$1,848,306	\$1,848,306

**Office of Substance Abuse and Mental Health Services 0679**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$624,529	\$624,529
OTHER SPECIAL REVENUE FUNDS TOTAL	\$624,529	\$624,529

GENERAL FUND	2017-18	2018-19
All Other	(\$12,124,142)	(\$12,124,142)
GENERAL FUND TOTAL	(\$12,124,142)	(\$12,124,142)

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	7,000	7,000
Personal Services	\$536,517	\$554,133

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$2,897,488)	(\$2,897,488)
FEDERAL EXPENDITURES FUND TOTAL	(\$2,897,488)	(\$2,897,488)

<b>FUND FOR A HEALTHY MAINE</b>	<b>2017-18</b>	<b>2018-19</b>	All Other	\$0	\$0
All Other	(\$1,848,306)	(\$1,848,306)			
			<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>(\$1,848,306)</b>	<b>(\$1,848,306)</b>			
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>	<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$624,529)	(\$624,529)	POSITIONS - LEGISLATIVE COUNT	0.000	0.000
			Personal Services	\$0	\$0
			All Other	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$624,529)</b>	<b>(\$624,529)</b>	<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>
<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>	<b>Office of Substance Abuse and Mental Health Services - Medicaid Seed 0844</b>		
All Other	(\$6,574,734)	(\$6,574,734)	Initiative: BASELINE BUDGET		
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>(\$6,574,734)</b>	<b>(\$6,574,734)</b>	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
			All Other	\$4,979,486	\$4,979,486
			<b>GENERAL FUND TOTAL</b>	<b>\$4,979,486</b>	<b>\$4,979,486</b>
<b>OFFICE OF SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES 0679</b>			<b>FUND FOR A HEALTHY MAINE</b>	<b>2017-18</b>	<b>2018-19</b>
<b>PROGRAM SUMMARY</b>			All Other	\$1,306,059	\$1,306,059
<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>	<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$1,306,059</b>	<b>\$1,306,059</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000			
Personal Services	\$0	\$0	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0	All Other	\$625,716	\$625,716
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$625,716</b>	<b>\$625,716</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>	<b>Office of Substance Abuse and Mental Health Services - Medicaid Seed 0844</b>		
All Other	\$0	\$0	Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.		
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
<b>FUND FOR A HEALTHY MAINE</b>	<b>2017-18</b>	<b>2018-19</b>	All Other	(\$4,979,486)	(\$4,979,486)
All Other	\$0	\$0			
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$0</b>	<b>\$0</b>			
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>			

GENERAL FUND TOTAL	(\$4,979,486)	(\$4,979,486)
<b>FUND FOR A HEALTHY MAINE</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$1,306,059)	(\$1,306,059)
FUND FOR A HEALTHY MAINE TOTAL	(\$1,306,059)	(\$1,306,059)
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$625,716)	(\$625,716)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$625,716)	(\$625,716)

**OFFICE OF SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES - MEDICAID SEED 0844**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0
<b>FUND FOR A HEALTHY MAINE</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
FUND FOR A HEALTHY MAINE TOTAL	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

**Residential Treatment Facilities Assessment 0978**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,658,000	\$1,658,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,658,000	\$1,658,000

**Residential Treatment Facilities Assessment 0978**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$1,658,000)	(\$1,658,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$1,658,000)	(\$1,658,000)

**RESIDENTIAL TREATMENT FACILITIES ASSESSMENT 0978**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

**Riverview Psychiatric Center 0105**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$795,191	\$816,570
All Other	\$6,932,005	\$6,932,005
GENERAL FUND TOTAL	\$7,727,196	\$7,748,575
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	354.500	354.500
POSITIONS - FTE COUNT	0.363	0.363
Personal Services	\$19,013,109	\$19,462,981
All Other	\$1,152,509	\$1,152,509
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,165,618	\$20,615,490

**Riverview Psychiatric Center 0105**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(9,000)	(9,000)
Personal Services	(\$795,191)	(\$816,570)
<b>GENERAL FUND TOTAL</b>	<b>(\$795,191)</b>	<b>(\$816,570)</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(354,500)	(354,500)
POSITIONS - FTE COUNT	(0,363)	(0,363)
Personal Services	(\$19,013,109)	(\$19,462,981)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$19,013,109)</b>	<b>(\$19,462,981)</b>

**Riverview Psychiatric Center 0105**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	(\$6,932,005)	(\$6,932,005)
<b>GENERAL FUND TOTAL</b>	<b>(\$6,932,005)</b>	<b>(\$6,932,005)</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$1,152,509)	(\$1,152,509)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$1,152,509)</b>	<b>(\$1,152,509)</b>

**RIVERVIEW PSYCHIATRIC CENTER 0105**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0

<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>
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**OTHER SPECIAL REVENUE FUNDS**

POSITIONS - LEGISLATIVE COUNT	0.000	0.000
POSITIONS - FTE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>
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**Traumatic Brain Injury Seed Z042**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$120,964	\$120,964

<b>GENERAL FUND TOTAL</b>	<b>\$120,964</b>	<b>\$120,964</b>
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**Traumatic Brain Injury Seed Z042**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	(\$120,964)	(\$120,964)

<b>GENERAL FUND TOTAL</b>	<b>(\$120,964)</b>	<b>(\$120,964)</b>
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**TRAUMATIC BRAIN INJURY SEED Z042**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$0

<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>
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**HEALTH AND HUMAN SERVICES,  
DEPARTMENT OF (FORMERLY BDS)**

<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>\$0</b>
<b>FUND FOR A HEALTHY MAINE</b>	<b>\$0</b>	<b>\$0</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$0</b>
<b>FEDERAL BLOCK GRANT FUND</b>	<b>\$0</b>	<b>\$0</b>
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<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>

**Sec. A-34. 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

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$7,090,651	\$7,090,651
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<b>GENERAL FUND TOTAL</b>	<b>\$7,090,651</b>	<b>\$7,090,651</b>
<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	82.500	82.500
Personal Services	\$5,789,200	\$5,958,404
All Other	\$20,818,721	\$20,818,721
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<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$26,607,921</b>	<b>\$26,777,125</b>

**Additional Support for People in Retraining and Employment 0146**

Initiative: Eliminates 189 positions from various programs within the Department of Health and Human Services and reduces funding for related All Other. Position detail is on file in the Bureau of the Budget.

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COUNT	(53.500)	(53.500)
Personal Services	(\$3,817,090)	(\$3,893,139)
All Other	(\$464,493)	(\$467,031)

<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>(\$4,281,583)</b>	<b>(\$4,360,170)</b>
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**ADDITIONAL SUPPORT FOR PEOPLE IN RETRAINING AND EMPLOYMENT 0146**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$7,090,651	\$7,090,651
<hr/>		
<b>GENERAL FUND TOTAL</b>	<b>\$7,090,651</b>	<b>\$7,090,651</b>

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	29.000	29.000
Personal Services	\$1,972,110	\$2,065,265
All Other	\$20,354,228	\$20,351,690

<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$22,326,338</b>	<b>\$22,416,955</b>
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**Aids Lodging House 0518**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$37,496	\$37,496
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<b>GENERAL FUND TOTAL</b>	<b>\$37,496</b>	<b>\$37,496</b>

**AIDS LODGING HOUSE 0518**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$37,496	\$37,496
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<b>GENERAL FUND TOTAL</b>	<b>\$37,496</b>	<b>\$37,496</b>

**Bone Marrow Screening Fund 0076**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$10,000	\$10,000

OTHER SPECIAL	\$10,000	\$10,000
REVENUE FUNDS TOTAL		

**Bone Marrow Screening Fund 0076**

Initiative: Reduces allocation to align with available resources.

OTHER SPECIAL	2017-18	2018-19
REVENUE FUNDS		
All Other	(\$10,000)	(\$10,000)

OTHER SPECIAL	(\$10,000)	(\$10,000)
REVENUE FUNDS TOTAL		

**BONE MARROW SCREENING FUND 0076**

**PROGRAM SUMMARY**

OTHER SPECIAL	2017-18	2018-19
REVENUE FUNDS		
All Other	\$0	\$0

OTHER SPECIAL	\$0	\$0
REVENUE FUNDS TOTAL		

**Brain Injury Z213**

Initiative: Eliminates 189 positions from various programs within the Department of Health and Human Services and reduces funding for related All Other. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$56,432)	(\$59,277)
All Other	(\$6,097)	(\$6,097)

GENERAL FUND TOTAL	(\$62,529)	(\$65,374)
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**Brain Injury Z213**

Initiative: Transfers 2 Human Services Caseworker positions from the Developmental Services - Community program and one Health Program Manager position from the Mental Health Services - Community program to the Brain Injury program within the same fund and adjusts related All Other.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$223,393	\$234,369
All Other	\$18,291	\$18,291

GENERAL FUND TOTAL	\$241,684	\$252,660
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**Brain Injury Z213**

Initiative: Provides allocation to align with anticipated resources and for STA-CAP charges.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$100,000	\$100,000

FEDERAL EXPENDITURES FUND TOTAL	\$100,000	\$100,000
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**Brain Injury Z213**

Initiative: Transfers appropriation from the Mental Health Services - Community program to the Brain Injury program within the same fund related to geriatric psychiatric services delivered in residential care facilities.

GENERAL FUND	2017-18	2018-19
All Other	\$554,228	\$554,228

GENERAL FUND TOTAL	\$554,228	\$554,228
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**Brain Injury Z213**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	6,000	6,000
Personal Services	\$435,693	\$454,715

GENERAL FUND TOTAL	\$435,693	\$454,715
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**Brain Injury Z213**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	\$29,928	\$29,928

GENERAL FUND TOTAL	\$29,928	\$29,928
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$150,000	\$150,000
FEDERAL EXPENDITURES FUND TOTAL	\$150,000	\$150,000

**BRAIN INJURY Z213 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$602,654	\$629,807
All Other	\$596,350	\$596,350
GENERAL FUND TOTAL	\$1,199,004	\$1,226,157

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$250,000	\$250,000
FEDERAL EXPENDITURES FUND TOTAL	\$250,000	\$250,000

**Breast Cancer Services Special Program Fund Z069**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$212,328	\$212,328
OTHER SPECIAL REVENUE FUNDS TOTAL	\$212,328	\$212,328

**BREAST CANCER SERVICES SPECIAL PROGRAM FUND Z069 PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$212,328	\$212,328
OTHER SPECIAL REVENUE FUNDS TOTAL	\$212,328	\$212,328

**Bridging Rental Assistance Program Z205**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$6,606,361	\$6,606,361
GENERAL FUND TOTAL	\$6,606,361	\$6,606,361

**BRIDGING RENTAL ASSISTANCE PROGRAM Z205 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$6,606,361	\$6,606,361
GENERAL FUND TOTAL	\$6,606,361	\$6,606,361

**Child Care Food Program 0454**

Initiative: BASELINE BUDGET

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$211,514	\$220,816
All Other	\$12,003,506	\$12,003,506
FEDERAL EXPENDITURES FUND TOTAL	\$12,215,020	\$12,224,322

**Child Care Food Program 0454**

Initiative: Reduces allocation to align with available resources.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$1,515,503)	(\$1,515,503)
FEDERAL EXPENDITURES FUND TOTAL	(\$1,515,503)	(\$1,515,503)

**Child Care Food Program 0454**

Initiative: Transfers 3 Social Services Program Specialist I positions and All Other funding from the Child Care Food Program in the Department of Health and Human Services to the School Finance and Opera-

tions program in the Department of Education within the same fund.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(3,000)	(3,000)
Personal Services	(\$211,514)	(\$220,816)
All Other	(\$10,488,003)	(\$10,488,003)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$10,699,517)</b>	<b>(\$10,708,819)</b>

**CHILD CARE FOOD PROGRAM 0454 PROGRAM SUMMARY**

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Child Care Services 0563**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$297,048	\$297,048
<b>GENERAL FUND TOTAL</b>	<b>\$297,048</b>	<b>\$297,048</b>

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	9.500	9.500
Personal Services	\$647,000	\$666,732
All Other	\$15,973,564	\$15,973,564
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$16,620,564</b>	<b>\$16,640,296</b>

**Child Care Services 0563**

Initiative: Provides allocation to align with available resources.

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,834,811	\$1,834,811

<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$1,834,811</b>	<b>\$1,834,811</b>
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**CHILD CARE SERVICES 0563 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$297,048	\$297,048
<b>GENERAL FUND TOTAL</b>	<b>\$297,048</b>	<b>\$297,048</b>

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	9.500	9.500
Personal Services	\$647,000	\$666,732
All Other	\$17,808,375	\$17,808,375
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$18,455,375</b>	<b>\$18,475,107</b>

**Child Support 0100**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	50.500	50.500
Personal Services	\$3,437,677	\$3,531,783
All Other	\$915,678	\$915,678
<b>GENERAL FUND TOTAL</b>	<b>\$4,353,355</b>	<b>\$4,447,461</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	192.000	192.000
Personal Services	\$11,256,930	\$11,558,786
All Other	\$5,399,355	\$5,399,355
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$16,656,285</b>	<b>\$16,958,141</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$2,200,709	\$2,258,116
All Other	\$5,870,515	\$5,870,515

OTHER SPECIAL	\$8,071,224	\$8,128,631
REVENUE FUNDS TOTAL		

**Child Support 0100**

Initiative: Eliminates 189 positions from various programs within the Department of Health and Human Services and reduces funding for related All Other. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(4,000)	(4,000)
Personal Services	(\$124,211)	(\$130,283)
All Other	(\$24,388)	(\$24,388)
GENERAL FUND TOTAL	(\$148,599)	(\$154,671)

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(5,000)	(5,000)
Personal Services	(\$364,064)	(\$382,136)
All Other	(\$43,655)	(\$44,258)
FEDERAL EXPENDITURES FUND TOTAL	(\$407,719)	(\$426,394)

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	(\$63,342)	(\$66,567)
All Other	(\$2,114)	(\$2,222)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$65,456)	(\$68,789)

**Child Support 0100**

Initiative: Transfers and reallocates 93 positions from 33.3% General Fund and 66.7% Federal Expenditures Fund to 34% General Fund and 66% Federal Expenditures Fund within the same program and adjusts All Other related to STA-CAP charges. Also transfers and reallocates 86 positions from 33.3% Other Special Revenue Funds and 66.7% Federal Expenditures Fund to 34% Other Special Revenue Funds and 66% Federal Expenditures Fund within the same program and adjusts All Other related to STA-CAP charges to be in line with federal match requirements. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	86,000	86,000
Personal Services	\$59,957	\$61,399

GENERAL FUND TOTAL	\$59,957	\$61,399
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(179,000)	(179,000)
Personal Services	(\$105,981)	(\$108,568)
All Other	(\$3,538)	(\$3,624)
FEDERAL EXPENDITURES FUND TOTAL	(\$109,519)	(\$112,192)

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	93,000	93,000
Personal Services	\$46,024	\$47,169
All Other	\$1,536	\$1,576
OTHER SPECIAL REVENUE FUNDS TOTAL	\$47,560	\$48,745

**Child Support 0100**

Initiative: Adjusts allocation between the Temporary Assistance for Needy Families program and the Child Support program within the same fund to align activities with the appropriate program. Also reduces allocation in the Temporary Assistance for Needy Families program to align with existing resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$97,289,490	\$97,289,490

OTHER SPECIAL REVENUE FUNDS TOTAL	\$97,289,490	\$97,289,490
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**CHILD SUPPORT 0100 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	132,500	132,500
Personal Services	\$3,373,423	\$3,462,899
All Other	\$891,290	\$891,290

GENERAL FUND TOTAL	\$4,264,713	\$4,354,189
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$10,786,885	\$11,068,082
All Other	\$5,352,162	\$5,351,473
FEDERAL EXPENDITURES FUND TOTAL	\$16,139,047	\$16,419,555

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	93.000	93.000
Personal Services	\$2,183,391	\$2,238,718
All Other	\$103,159,427	\$103,159,359
OTHER SPECIAL REVENUE FUNDS TOTAL	\$105,342,818	\$105,398,077

**Community Family Planning 0466**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$223,105	\$223,105
GENERAL FUND TOTAL	\$223,105	\$223,105

**Community Family Planning 0466**

Initiative: Reduces appropriation in the Community Family Planning program, General Fund on an ongoing basis.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$223,105)	(\$223,105)
GENERAL FUND TOTAL	(\$223,105)	(\$223,105)

**COMMUNITY FAMILY PLANNING 0466 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0

**Community Services Block Grant 0716**

Initiative: BASELINE BUDGET

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$73,920	\$77,687
All Other	\$4,863,395	\$4,863,395
FEDERAL BLOCK GRANT FUND TOTAL	\$4,937,315	\$4,941,082

**Community Services Block Grant 0716**

Initiative: Reduces allocation to align with available resources.

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$1,390,245)	(\$1,390,245)
FEDERAL BLOCK GRANT FUND TOTAL	(\$1,390,245)	(\$1,390,245)

**COMMUNITY SERVICES BLOCK GRANT 0716 PROGRAM SUMMARY**

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$73,920	\$77,687
All Other	\$3,473,150	\$3,473,150
FEDERAL BLOCK GRANT FUND TOTAL	\$3,547,070	\$3,550,837

**Comprehensive Cancer Screening, Detection and Prevention Fund Z054**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

**Comprehensive Cancer Screening, Detection and Prevention Fund Z054**

Initiative: Reduces allocation to align with available resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$500)	(\$500)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$500)</b>	<b>(\$500)</b>

**COMPREHENSIVE CANCER SCREENING, DETECTION AND PREVENTION FUND Z054 PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Consent Decree Z204**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	\$5,797,300	\$5,797,300
<b>GENERAL FUND TOTAL</b>	<b>\$5,797,300</b>	<b>\$5,797,300</b>

**CONSENT DECREE Z204 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$5,797,300	\$5,797,300
<b>GENERAL FUND TOTAL</b>	<b>\$5,797,300</b>	<b>\$5,797,300</b>

**Consumer Directed Services Z215**

Initiative: Transfers one Social Services Manager I position and All Other funding from the Consumer Directed Services program to the Long Term Care - Office of Aging and Disability Services program within the same fund to provide efficiencies in the administration of Resolve 2011, chapter 71.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$91,316)	(\$95,918)

All Other	(\$2,148,342)	(\$2,148,342)
<b>GENERAL FUND TOTAL</b>	<b>(\$2,239,658)</b>	<b>(\$2,244,260)</b>

**Consumer Directed Services Z215**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$91,316	\$95,918
<b>GENERAL FUND TOTAL</b>	<b>\$91,316</b>	<b>\$95,918</b>

**Consumer Directed Services Z215**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	\$2,148,342	\$2,148,342
<b>GENERAL FUND TOTAL</b>	<b>\$2,148,342</b>	<b>\$2,148,342</b>

**CONSUMER DIRECTED SERVICES Z215 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Crisis Outreach Program Z216**

Initiative: Provides allocation in the Crisis Outreach Program to align with available resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$60,000	\$60,000

OTHER SPECIAL	\$60,000	\$60,000
REVENUE FUNDS TOTAL		

**Crisis Outreach Program Z216**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	46.000	46.000
Personal Services	\$1,845,785	\$1,890,221
GENERAL FUND TOTAL	\$1,845,785	\$1,890,221

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$1,677,337	\$1,717,713
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,677,337	\$1,717,713

**Crisis Outreach Program Z216**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	\$121,689	\$121,689
GENERAL FUND TOTAL	\$121,689	\$121,689

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$113,333	\$113,333
OTHER SPECIAL REVENUE FUNDS TOTAL	\$113,333	\$113,333

**CRISIS OUTREACH PROGRAM Z216 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	46.000	46.000
Personal Services	\$1,845,785	\$1,890,221
All Other	\$121,689	\$121,689

GENERAL FUND TOTAL	\$1,967,474	\$2,011,910
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$1,677,337	\$1,717,713
All Other	\$173,333	\$173,333

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,850,670	\$1,891,046
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**Data, Research and Vital Statistics Z037**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$512,201	\$523,212
All Other	\$1,098,443	\$1,098,443

GENERAL FUND TOTAL	\$1,610,644	\$1,621,655
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$219,761	\$224,227
All Other	\$1,765,905	\$1,765,905

FEDERAL EXPENDITURES FUND TOTAL	\$1,985,666	\$1,990,132
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$724,751	\$743,544
All Other	\$2,218,165	\$2,218,165

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,942,916	\$2,961,709
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FEDERAL BLOCK GRANT FUND	2017-18	2018-19
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All Other	\$8,368	\$8,368
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FEDERAL BLOCK GRANT	\$8,368	\$8,368
FUND TOTAL		

**Data, Research and Vital Statistics Z037**

Initiative: Reduces allocation to align with available resources.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$1,320,000)	(\$1,320,000)
FEDERAL EXPENDITURES FUND TOTAL	(\$1,320,000)	(\$1,320,000)

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$1,450,000)	(\$1,450,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$1,450,000)	(\$1,450,000)

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	(\$8,368)	(\$8,368)
FEDERAL BLOCK GRANT FUND TOTAL	(\$8,368)	(\$8,368)

**Data, Research and Vital Statistics Z037**

Initiative: Transfers and reallocates 66 positions among various accounts within programs administered by the Maine Center for Disease Control and Prevention to place them in the proper functional location. Position detail is on file in the Bureau of the Budget.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$76,644)	(\$80,413)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$76,644)	(\$80,413)

**Data, Research and Vital Statistics Z037**

Initiative: Eliminates 189 positions from various programs within the Department of Health and Human Services and reduces funding for related All Other. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$75,369)	(\$76,177)
All Other	(\$6,097)	(\$6,097)

GENERAL FUND TOTAL	(\$81,466)	(\$82,274)
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$56,432)	(\$59,277)
All Other	(\$8,184)	(\$8,279)

FEDERAL EXPENDITURES FUND TOTAL	(\$64,616)	(\$67,556)
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**DATA, RESEARCH AND VITAL STATISTICS Z037**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5,000	5,000
Personal Services	\$436,832	\$447,035
All Other	\$1,092,346	\$1,092,346
GENERAL FUND TOTAL	\$1,529,178	\$1,539,381

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$163,329	\$164,950
All Other	\$437,721	\$437,626

FEDERAL EXPENDITURES FUND TOTAL	\$601,050	\$602,576
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	9,000	9,000
Personal Services	\$648,107	\$663,131
All Other	\$768,165	\$768,165

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,416,272	\$1,431,296
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FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$0	\$0
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Dental Disease Prevention 0486**

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$500	\$500
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Dental Disease Prevention 0486**

Initiative: Reduces allocation to align with available resources.

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	(\$500)	(\$500)
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>(\$500)</b>	<b>(\$500)</b>

**DENTAL DISEASE PREVENTION 0486 PROGRAM SUMMARY**

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$0	\$0
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Departmentwide 0640**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	(\$2,000,000)	(\$2,000,000)
<b>GENERAL FUND TOTAL</b>	<b>(\$2,000,000)</b>	<b>(\$2,000,000)</b>

**DEPARTMENTWIDE 0640 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	(\$2,000,000)	(\$2,000,000)

<b>GENERAL FUND TOTAL</b>	<b>(\$2,000,000)</b>	<b>(\$2,000,000)</b>
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**Developmental Services - Community Z208**

Initiative: Eliminates 189 positions from various programs within the Department of Health and Human Services and reduces funding for related All Other. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(27,000)	(27,000)
Personal Services	(\$1,997,431)	(\$2,067,420)
All Other	(\$164,619)	(\$164,619)
<b>GENERAL FUND TOTAL</b>	<b>(\$2,162,050)</b>	<b>(\$2,232,039)</b>

**Developmental Services - Community Z208**

Initiative: Transfers 2 Human Services Caseworker positions from the Developmental Services - Community program and one Health Program Manager position from the Mental Health Services - Community program to the Brain Injury program within the same fund and adjusts related All Other.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$140,691)	(\$147,599)
All Other	(\$12,194)	(\$12,194)
<b>GENERAL FUND TOTAL</b>	<b>(\$152,885)</b>	<b>(\$159,793)</b>

**Developmental Services - Community Z208**

Initiative: Transfers and reallocates one Public Service Executive II position and one Public Service Manager II position and related All Other from 100% Developmental Services - Community program, General Fund to 60% General Fund and 40% Other Special Revenue Funds within the Office of the Commissioner program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$253,985)	(\$260,493)
All Other	(\$7,317)	(\$7,317)
<b>GENERAL FUND TOTAL</b>	<b>(\$261,302)</b>	<b>(\$267,810)</b>

**Developmental Services - Community Z208**

Initiative: Reduces allocation in the Developmental Services - Community program to align with available resources.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$50,000)	(\$50,000)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$50,000)</b>	<b>(\$50,000)</b>

**Developmental Services - Community Z208**

Initiative: Adjusts funding through an increase in the annual cap for services provided under the MaineCare Benefits Manual, Chapters II and III, Section 29: Support Services for Adults with Intellectual Disabilities or Autistic Disorder from \$23,771 to \$47,500.

GENERAL FUND	2017-18	2018-19
All Other	(\$421,875)	(\$562,500)
<b>GENERAL FUND TOTAL</b>	<b>(\$421,875)</b>	<b>(\$562,500)</b>

**Developmental Services - Community Z208**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	176.500	176.500
Personal Services	\$14,005,090	\$14,352,261
<b>GENERAL FUND TOTAL</b>	<b>\$14,005,090</b>	<b>\$14,352,261</b>

**Developmental Services - Community Z208**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	\$8,703,651	\$8,703,651
<b>GENERAL FUND TOTAL</b>	<b>\$8,703,651</b>	<b>\$8,703,651</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$50,000	\$50,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$50,000</b>	<b>\$50,000</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$400,747	\$400,747
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$400,747</b>	<b>\$400,747</b>

**DEVELOPMENTAL SERVICES - COMMUNITY Z208**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	145.500	145.500
Personal Services	\$11,612,983	\$11,876,749
All Other	\$8,097,646	\$7,957,021
<b>GENERAL FUND TOTAL</b>	<b>\$19,710,629</b>	<b>\$19,833,770</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$400,747	\$400,747
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$400,747</b>	<b>\$400,747</b>

**Developmental Services Waiver - MaineCare Z211**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	\$101,037,889	\$101,037,889

GENERAL FUND TOTAL	\$101,037,889	\$101,037,889
<b>DEVELOPMENTAL SERVICES WAIVER - MAINECARE Z211</b>		
<b>PROGRAM SUMMARY</b>		
<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$101,037,889	\$101,037,889
GENERAL FUND TOTAL	\$101,037,889	\$101,037,889

**Developmental Services Waiver - Supports Z212**

Initiative: Adjusts funding through an increase in the annual cap for services provided under the MaineCare Benefits Manual, Chapters II and III, Section 29: Support Services for Adults with Intellectual Disabilities or Autistic Disorder from \$23,771 to \$47,500.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$5,861,867	\$7,818,459
GENERAL FUND TOTAL	\$5,861,867	\$7,818,459

**Developmental Services Waiver - Supports Z212**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$18,189,263	\$18,189,263
GENERAL FUND TOTAL	\$18,189,263	\$18,189,263

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$86,000	\$86,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$86,000	\$86,000

**DEVELOPMENTAL SERVICES WAIVER - SUPPORTS Z212**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$24,051,130	\$26,007,722

GENERAL FUND TOTAL	\$24,051,130	\$26,007,722
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	\$86,000	\$86,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$86,000	\$86,000

**Disability Determination - Division of 0208**

Initiative: BASELINE BUDGET

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	56.500	56.500
Personal Services	\$4,215,173	\$4,332,751
All Other	\$5,168,560	\$5,168,560
FEDERAL EXPENDITURES FUND TOTAL	\$9,383,733	\$9,501,311

**Disability Determination - Division of 0208**

Initiative: Eliminates 189 positions from various programs within the Department of Health and Human Services and reduces funding for related All Other. Position detail is on file in the Bureau of the Budget.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(2.500)	(2.500)
Personal Services	(\$153,864)	(\$161,507)
All Other	(\$20,888)	(\$21,143)
FEDERAL EXPENDITURES FUND TOTAL	(\$174,752)	(\$182,650)

**DISABILITY DETERMINATION - DIVISION OF 0208**

**PROGRAM SUMMARY**

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	54.000	54.000
Personal Services	\$4,061,309	\$4,171,244
All Other	\$5,147,672	\$5,147,417

FEDERAL EXPENDITURES	\$9,208,981	\$9,318,661
FUND TOTAL		

**Disproportionate Share - Dorothea Dix Psychiatric Center Z225**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
Personal Services	\$6,801,838	\$6,931,751
GENERAL FUND TOTAL	\$6,801,838	\$6,931,751

**Disproportionate Share - Dorothea Dix Psychiatric Center Z225**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	\$405,995	\$405,995
GENERAL FUND TOTAL	\$405,995	\$405,995

**DISPROPORTIONATE SHARE - DOROTHEA DIX PSYCHIATRIC CENTER Z225**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
Personal Services	\$6,801,838	\$6,931,751
All Other	\$405,995	\$405,995
GENERAL FUND TOTAL	\$7,207,833	\$7,337,746

**Disproportionate Share - Riverview Psychiatric Center Z220**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
Personal Services	\$11,326,256	\$11,594,326
GENERAL FUND TOTAL	\$11,326,256	\$11,594,326

**Disproportionate Share - Riverview Psychiatric Center Z220**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	\$3,292,140	\$3,292,140
GENERAL FUND TOTAL	\$3,292,140	\$3,292,140

**DISPROPORTIONATE SHARE - RIVERVIEW PSYCHIATRIC CENTER Z220**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
Personal Services	\$11,326,256	\$11,594,326
All Other	\$3,292,140	\$3,292,140
GENERAL FUND TOTAL	\$14,618,396	\$14,886,466

**Division of Administrative Hearings Z038**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$432,106	\$439,374
All Other	\$51,504	\$51,504
GENERAL FUND TOTAL	\$483,610	\$490,878

**OTHER SPECIAL REVENUE FUNDS**

	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$596,720	\$606,757
All Other	\$245,328	\$245,328
OTHER SPECIAL REVENUE FUNDS TOTAL	\$842,048	\$852,085

**Division of Administrative Hearings Z038**

Initiative: Transfers all positions and All Other from the General Fund and Other Special Revenue Funds in the Division of Contract Management, Division of Audit, Division of Administrative Hearings and Office of the Commissioner District Operations programs to the General Fund and Other Special Revenue Funds in the Office of the Commissioner program and closes accounts under the respective programs. Position detail is on file in the Bureau of the Budget.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$432,106)	(\$439,374)
All Other	(\$51,504)	(\$51,504)
<b>GENERAL FUND TOTAL</b>	<b>(\$483,610)</b>	<b>(\$490,878)</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(10,000)	(10,000)
Personal Services	(\$596,720)	(\$606,757)
All Other	(\$245,328)	(\$245,328)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$842,048)</b>	<b>(\$852,085)</b>

**DIVISION OF ADMINISTRATIVE HEARINGS Z038**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Division of Audit Z157**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	17,500	17,500
Personal Services	\$2,767,947	\$2,845,964
All Other	\$183,581	\$183,581
<b>GENERAL FUND TOTAL</b>	<b>\$2,951,528</b>	<b>\$3,029,545</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	50,000	50,000
Personal Services	\$2,579,074	\$2,652,702
All Other	\$137,783	\$137,783
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,716,857</b>	<b>\$2,790,485</b>

**Division of Audit Z157**

Initiative: Provides funding for the approved range change of 17 Fraud Investigator positions from range 20 to range 22.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$45,521	\$46,520
<b>GENERAL FUND TOTAL</b>	<b>\$45,521</b>	<b>\$46,520</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$45,515	\$46,529
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$45,515</b>	<b>\$46,529</b>

**Division of Audit Z157**

Initiative: Transfers all positions and All Other from the General Fund and Other Special Revenue Funds in the Division of Contract Management, Division of Audit, Division of Administrative Hearings and the Office of the Commissioner District Operations programs to the General Fund and Other Special Revenue Funds in the Office of the Commissioner program and closes accounts under the respective programs. Position detail on file in the Bureau of the Budget.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(17,500)	(17,500)

Personal Services	(\$2,840,276)	(\$2,910,769)
All Other	(\$183,581)	(\$183,581)
<b>GENERAL FUND TOTAL</b>	<b>(\$3,023,857)</b>	<b>(\$3,094,350)</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(50,000)	(50,000)
Personal Services	(\$2,651,397)	(\$2,717,503)
All Other	(\$137,783)	(\$137,783)

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$2,789,180)</b>	<b>(\$2,855,286)</b>
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**Division of Audit Z157**

Initiative: Provides funding for the approved step increases for 8 Fraud Investigator positions.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$26,808	\$18,285

<b>GENERAL FUND TOTAL</b>	<b>\$26,808</b>	<b>\$18,285</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$26,808	\$18,272

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$26,808</b>	<b>\$18,272</b>
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**DIVISION OF AUDIT Z157 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0

<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
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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**Division of Contract Management Z035**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	24,000	24,000
Personal Services	\$1,643,938	\$1,683,131
All Other	\$140,451	\$140,451

<b>GENERAL FUND TOTAL</b>	<b>\$1,784,389</b>	<b>\$1,823,582</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	5,000	5,000
Personal Services	\$846,867	\$867,054
All Other	\$86,632	\$86,632

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$933,499</b>	<b>\$953,686</b>
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**Division of Contract Management Z035**

Initiative: Transfers all positions and All Other from the General Fund and Other Special Revenue Funds in the Division of Contract Management, Division of Audit, Division of Administrative Hearings and Office of the Commissioner District Operations programs to the General Fund and Other Special Revenue Funds in the Office of the Commissioner program and closes accounts under the respective programs. Position detail is on file in the Bureau of the Budget.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(24,000)	(24,000)
Personal Services	(\$1,643,938)	(\$1,683,131)
All Other	(\$140,451)	(\$140,451)

<b>GENERAL FUND TOTAL</b>	<b>(\$1,784,389)</b>	<b>(\$1,823,582)</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(5,000)	(5,000)
Personal Services	(\$846,867)	(\$867,054)
All Other	(\$86,632)	(\$86,632)

OTHER SPECIAL	(\$933,499)	(\$953,686)
REVENUE FUNDS TOTAL		

OTHER SPECIAL	\$9,107,733	\$9,260,815
REVENUE FUNDS TOTAL		

**DIVISION OF CONTRACT MANAGEMENT Z035**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Division of Licensing and Regulatory Services Z036**

Initiative: Transfers and reallocates 66 positions among various accounts within programs administered by the Maine Center for Disease Control and Prevention to place them in the proper functional location. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$294,626)	(\$303,058)
<b>GENERAL FUND TOTAL</b>	<b>(\$294,626)</b>	<b>(\$303,058)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(7.000)	(7.000)
Personal Services	(\$547,171)	(\$562,816)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$547,171)</b>	<b>(\$562,816)</b>

**Division of Licensing and Regulatory Services Z036**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	33.000	33.000
Personal Services	\$3,232,108	\$3,302,033
All Other	\$1,240,683	\$1,240,683
<b>GENERAL FUND TOTAL</b>	<b>\$4,472,791</b>	<b>\$4,542,716</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$1,406,743	\$1,406,743
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,406,743</b>	<b>\$1,406,743</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	95.500	95.500
Personal Services	\$7,208,772	\$7,361,854
All Other	\$1,898,961	\$1,898,961

**Division of Licensing and Regulatory Services Z036**

Initiative: Provides allocation to align with available resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$396,281	\$396,281
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$396,281</b>	<b>\$396,281</b>

**Division of Licensing and Regulatory Services Z036**

Initiative: Eliminates 189 positions from various programs within the Department of Health and Human Services and reduces funding for related All Other. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$99,411)	(\$104,442)
All Other	(\$6,097)	(\$6,097)
<b>GENERAL FUND TOTAL</b>	<b>(\$105,508)</b>	<b>(\$110,539)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(2,500)	(2,500)
Personal Services	(\$184,627)	(\$193,953)
All Other	(\$21,915)	(\$22,226)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$206,542)</b>	<b>(\$216,179)</b>

POSITIONS - LEGISLATIVE COUNT	197,000	197,000
Personal Services	\$11,418,941	\$11,636,809
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$11,418,941</b>	<b>\$11,636,809</b>

**DIVISION OF LICENSING AND REGULATORY SERVICES Z036**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	29,000	29,000
Personal Services	\$2,838,071	\$2,894,533
All Other	\$1,234,586	\$1,234,586
<b>GENERAL FUND TOTAL</b>	<b>\$4,072,657</b>	<b>\$4,129,119</b>

**Dorothea Dix Psychiatric Center Z222**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	\$2,542,084	\$2,542,084
<b>GENERAL FUND TOTAL</b>	<b>\$2,542,084</b>	<b>\$2,542,084</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$1,406,743	\$1,406,743
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,406,743</b>	<b>\$1,406,743</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$2,704,580	\$2,704,580
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,704,580</b>	<b>\$2,704,580</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	86,000	86,000
Personal Services	\$6,476,974	\$6,605,085
All Other	\$2,273,327	\$2,273,016
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$8,750,301</b>	<b>\$8,878,101</b>

**DOROTHEA DIX PSYCHIATRIC CENTER Z222 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$2,542,084	\$2,542,084
<b>GENERAL FUND TOTAL</b>	<b>\$2,542,084</b>	<b>\$2,542,084</b>

**Dorothea Dix Psychiatric Center Z222**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	197,000	197,000
Personal Services	\$11,418,941	\$11,636,809
All Other	\$2,704,580	\$2,704,580
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$14,123,521</b>	<b>\$14,341,389</b>

**Drinking Water Enforcement 0728**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$572,180	\$582,149
All Other	\$609,868	\$609,868
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,182,048	\$1,192,017

**Drinking Water Enforcement 0728**

Initiative: Adjusts allocation between the Maine Center for Disease Control and Prevention program and the Drinking Water Enforcement program within the same fund related to liquor revenue transfers established in Public Law 2013, chapter 269.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,503,000	\$1,503,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,503,000	\$1,503,000

**Drinking Water Enforcement 0728**

Initiative: Transfers and reallocates 66 positions among various accounts within programs administered by the Maine Center for Disease Control and Prevention to place them in the proper functional location. Position detail is on file in the Bureau of the Budget.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$5,220)	(\$5,482)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$5,220)	(\$5,482)

**DRINKING WATER ENFORCEMENT 0728**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$566,960	\$576,667
All Other	\$2,112,868	\$2,112,868
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,679,828	\$2,689,535

**Driver Education & Evaluation Program - Off Sub Abuse & MH S Z200**

Initiative: Eliminates 189 positions from various programs within the Department of Health and Human Services and reduces funding for related All Other. Position detail is on file in the Bureau of the Budget.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$62,099)	(\$65,263)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$62,099)	(\$65,263)

**Driver Education & Evaluation Program - Off Sub Abuse & MH S Z200**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$597,157	\$612,359
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$597,157	\$612,359

**Driver Education & Evaluation Program - Off Sub Abuse & MH S Z200**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,028,931	\$1,028,931
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$1,028,931	\$1,028,931

**DRIVER EDUCATION & EVALUATION PROGRAM - OFF SUB ABUSE & MH S Z200**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$535,058	\$547,096
All Other	\$1,028,931	\$1,028,931

GENERAL FUND TOTAL	\$1,563,989	\$1,576,027
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**Food Supplement Administration Z019**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$2,970,882	\$2,970,882
<b>GENERAL FUND TOTAL</b>	<b>\$2,970,882</b>	<b>\$2,970,882</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$7,916,303	\$7,916,303
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$7,916,303</b>	<b>\$7,916,303</b>

**Food Supplement Administration Z019**

Initiative: Continues one limited-period Social Services Program Specialist I position through June 8, 2019 in the Food Supplement Administration program, Federal Expenditures Fund and provides funding in All Other to support the position. This position was originally established as a limited-period position by Financial Order 000674 F2 and continued by Public Law 2013, chapter 368 and by Public Law 2015, chapter 267.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$73,920	\$75,918
All Other	\$8,768	\$8,835
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$82,688</b>	<b>\$84,753</b>

**Food Supplement Administration Z019**

Initiative: Continues one limited-period Eligibility Specialist position through June 8, 2019 in the Food Supplement Administration program, Federal Expenditures Fund and provides funding in All Other to support the position. This position was originally established as a limited-period position by Financial Order 000216 F2 and continued by Public Law 2013, chapter 368 and by Public Law 2015, chapter 267.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$67,572	\$69,062
All Other	\$8,556	\$8,606

FEDERAL EXPENDITURES FUND TOTAL	\$76,128	\$77,668
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**FOOD SUPPLEMENT ADMINISTRATION Z019 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$2,970,882	\$2,970,882
<b>GENERAL FUND TOTAL</b>	<b>\$2,970,882</b>	<b>\$2,970,882</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$141,492	\$144,980
All Other	\$7,933,627	\$7,933,744
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$8,075,119</b>	<b>\$8,078,724</b>

**Forensic Services Z203**

Initiative: Reduces allocation to align with available resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$16,672)	(\$16,672)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$16,672)</b>	<b>(\$16,672)</b>

**Forensic Services Z203**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$624,846	\$631,477
<b>GENERAL FUND TOTAL</b>	<b>\$624,846</b>	<b>\$631,477</b>

**Forensic Services Z203**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in

the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	\$98,192	\$98,192
<b>GENERAL FUND TOTAL</b>	<b>\$98,192</b>	<b>\$98,192</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$17,172	\$17,172
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$17,172</b>	<b>\$17,172</b>

**FORENSIC SERVICES Z203**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$624,846	\$631,477
All Other	\$98,192	\$98,192
<b>GENERAL FUND TOTAL</b>	<b>\$723,038</b>	<b>\$729,669</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**General Assistance - Reimbursement to Cities and Towns 0130**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$12,148,875	\$12,148,875
<b>GENERAL FUND TOTAL</b>	<b>\$12,148,875</b>	<b>\$12,148,875</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$284,105	\$292,124
All Other	\$2,053,687	\$2,053,687

OTHER SPECIAL	\$2,337,792	\$2,345,811
<b>REVENUE FUNDS TOTAL</b>		

**General Assistance - Reimbursement to Cities and Towns 0130**

Initiative: Reduces funding in the general assistance program for a person who has exhausted the 60-month lifetime limit on Temporary Assistance for Needy Families program benefits and is therefore ineligible to receive municipal general assistance program benefits and for an applicant for general assistance who voluntarily abandons or refuses to use an available resource without just cause and is therefore ineligible to receive general assistance to replace the abandoned resource for a period of 120 days.

GENERAL FUND	2017-18	2018-19
All Other	(\$351,000)	(\$351,000)
<b>GENERAL FUND TOTAL</b>	<b>(\$351,000)</b>	<b>(\$351,000)</b>

**GENERAL ASSISTANCE - REIMBURSEMENT TO CITIES AND TOWNS 0130**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$11,797,875	\$11,797,875
<b>GENERAL FUND TOTAL</b>	<b>\$11,797,875</b>	<b>\$11,797,875</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$284,105	\$292,124
All Other	\$2,053,687	\$2,053,687

OTHER SPECIAL	\$2,337,792	\$2,345,811
<b>REVENUE FUNDS TOTAL</b>		

**Head Start 0545**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$1,194,458	\$1,194,458
<b>GENERAL FUND TOTAL</b>	<b>\$1,194,458</b>	<b>\$1,194,458</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>

All Other	\$107,637	\$107,637
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$107,637</b>	<b>\$107,637</b>

<b>FUND FOR A HEALTHY MAINE</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,354,580	\$1,354,580
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$1,354,580</b>	<b>\$1,354,580</b>

**Head Start 0545**

Initiative: Reduces appropriation in the Head Start program based on adequate federal funding provided for the services.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$1,194,458)	(\$1,194,458)
<b>GENERAL FUND TOTAL</b>	<b>(\$1,194,458)</b>	<b>(\$1,194,458)</b>

**HEAD START 0545 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$107,637	\$107,637
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$107,637</b>	<b>\$107,637</b>

<b>FUND FOR A HEALTHY MAINE</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,354,580	\$1,354,580
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$1,354,580</b>	<b>\$1,354,580</b>

**Homeless Youth Program 0923**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$397,807	\$397,807

<b>GENERAL FUND TOTAL</b>	<b>\$397,807</b>	<b>\$397,807</b>
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**HOMELESS YOUTH PROGRAM 0923 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$397,807	\$397,807
<b>GENERAL FUND TOTAL</b>	<b>\$397,807</b>	<b>\$397,807</b>

**Hypertension Control 0487**

Initiative: BASELINE BUDGET

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Hypertension Control 0487**

Initiative: Reduces allocation to align with available resources.

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$500)	(\$500)
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>(\$500)</b>	<b>(\$500)</b>

**HYPERTENSION CONTROL 0487 PROGRAM SUMMARY**

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Independent Housing with Services 0211**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$2,799,286	\$2,799,286
<b>GENERAL FUND TOTAL</b>	<b>\$2,799,286</b>	<b>\$2,799,286</b>

**INDEPENDENT HOUSING WITH SERVICES  
0211**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$2,799,286	\$2,799,286
<b>GENERAL FUND TOTAL</b>	<b>\$2,799,286</b>	<b>\$2,799,286</b>

**IV-E Foster Care/Adoption Assistance 0137**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$13,588,106	\$13,588,106
<b>GENERAL FUND TOTAL</b>	<b>\$13,588,106</b>	<b>\$13,588,106</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$21,435,620	\$21,435,620

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$21,435,620</b>	<b>\$21,435,620</b>
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$1,529,441	\$1,529,441

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,529,441</b>	<b>\$1,529,441</b>
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**IV-E Foster Care/Adoption Assistance 0137**

Initiative: Provides allocation to align with available resources.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$1,500,000	\$1,500,000

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,500,000</b>	<b>\$1,500,000</b>
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**IV-E Foster Care/Adoption Assistance 0137**

Initiative: Reduces allocation to align with available resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$1,000,000)	(\$1,000,000)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$1,000,000)	(\$1,000,000)
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**IV-E FOSTER CARE/ADOPTION ASSISTANCE  
0137**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$13,588,106	\$13,588,106
<b>GENERAL FUND TOTAL</b>	<b>\$13,588,106</b>	<b>\$13,588,106</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$22,935,620	\$22,935,620

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$22,935,620</b>	<b>\$22,935,620</b>
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$529,441	\$529,441

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$529,441</b>	<b>\$529,441</b>
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**Long Term Care - Office of Aging and Disability  
Services 0420**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
Personal Services	\$60,595	\$62,689
All Other	\$13,477,712	\$13,477,712
<b>GENERAL FUND TOTAL</b>	<b>\$13,538,307</b>	<b>\$13,540,401</b>

**Long Term Care - Office of Aging and Disability  
Services 0420**

Initiative: Provides one-time funding in the Long Term Care - Office of Aging and Disability Services program, General Fund and in the Office of Maine-Care Services program, Federal Expenditures Fund to undertake the verification process of consumers and providers in the home and community-based setting as required by federal regulations.

GENERAL FUND	2017-18	2018-19
All Other	\$50,000	\$50,000
<b>GENERAL FUND TOTAL</b>	<b>\$50,000</b>	<b>\$50,000</b>

**Long Term Care - Office of Aging and Disability Services 0420**

Initiative: Transfers one Social Services Manager I position and All Other funding from the Consumer Directed Services program to the Long Term Care - Office of Aging and Disability Services program within the same fund to provide efficiencies in the administration of Resolve 2011, chapter 71.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$91,316	\$95,918
All Other	\$2,148,342	\$2,148,342
<b>GENERAL FUND TOTAL</b>	<b>\$2,239,658</b>	<b>\$2,244,260</b>

**Long Term Care - Office of Aging and Disability Services 0420**

Initiative: Transfers appropriation related to a rate increase for personal care and related services pursuant to Resolve 2015, chapter 83 from the Office of Aging and Disability Services Central Office program, General Fund to the Long Term Care - Office of Aging and Disability Services program, General Fund.

GENERAL FUND	2017-18	2018-19
All Other	\$1,226,400	\$1,226,400
<b>GENERAL FUND TOTAL</b>	<b>\$1,226,400</b>	<b>\$1,226,400</b>

**LONG TERM CARE - OFFICE OF AGING AND DISABILITY SERVICES 0420**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$151,911	\$158,607
All Other	\$16,902,454	\$16,902,454
<b>GENERAL FUND TOTAL</b>	<b>\$17,054,365</b>	<b>\$17,061,061</b>

**Low-cost Drugs To Maine's Elderly 0202**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$4,425,803	\$4,425,803
<b>GENERAL FUND TOTAL</b>	<b>\$4,425,803</b>	<b>\$4,425,803</b>

**FUND FOR A HEALTHY MAINE**

	2017-18	2018-19
All Other	\$6,082,095	\$6,082,095
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$6,082,095</b>	<b>\$6,082,095</b>

**LOW-COST DRUGS TO MAINE'S ELDERLY 0202**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$4,425,803	\$4,425,803
<b>GENERAL FUND TOTAL</b>	<b>\$4,425,803</b>	<b>\$4,425,803</b>

**FUND FOR A HEALTHY MAINE**

	2017-18	2018-19
All Other	\$6,082,095	\$6,082,095
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$6,082,095</b>	<b>\$6,082,095</b>

**Maine Asthma and Lung Disease Research Fund (DHHS) Z027**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$42,500	\$42,500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$42,500</b>	<b>\$42,500</b>

**Maine Asthma and Lung Disease Research Fund (DHHS) Z027**

Initiative: Reduces allocation to align with available resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$42,500)	(\$42,500)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$42,500)</b>	<b>(\$42,500)</b>

**MAINE ASTHMA AND LUNG DISEASE RESEARCH FUND (DHHS) Z027**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19

All Other	\$0	\$0
OTHER SPECIAL	\$0	\$0
REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$0</u>

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$100,108	\$105,062
All Other	\$1,484,244	\$1,484,244
	<u>\$1,584,352</u>	<u>\$1,589,306</u>

**Maine Center for Disease Control and Prevention 0143**

FEDERAL BLOCK GRANT FUND TOTAL

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	67.000	67.000
Personal Services	\$5,780,206	\$5,927,981
All Other	\$3,461,199	\$3,461,199
GENERAL FUND TOTAL	<u>\$9,241,405</u>	<u>\$9,389,180</u>

**Maine Center for Disease Control and Prevention 0143**

Initiative: Adjusts allocation between the Maine Center for Disease Control and Prevention program and the Drinking Water Enforcement program within the same fund related to liquor revenue transfers established in Public Law 2013, chapter 269.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	125.500	125.500
Personal Services	\$10,318,579	\$10,590,110
All Other	\$51,247,620	\$51,247,620
FEDERAL EXPENDITURES FUND TOTAL	<u>\$61,566,199</u>	<u>\$61,837,730</u>

**OTHER SPECIAL REVENUE FUNDS**

All Other	(\$1,503,000)	(\$1,503,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$1,503,000)</u>	<u>(\$1,503,000)</u>

<b>FUND FOR A HEALTHY MAINE</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$848,982	\$877,473
All Other	\$12,197,908	\$12,197,908
FUND FOR A HEALTHY MAINE TOTAL	<u>\$13,046,890</u>	<u>\$13,075,381</u>

**Maine Center for Disease Control and Prevention 0143**

Initiative: Reduces allocation to align with available resources.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$8,400,000)	(\$8,400,000)
FEDERAL EXPENDITURES FUND TOTAL	<u>(\$8,400,000)</u>	<u>(\$8,400,000)</u>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	74.000	74.000
POSITIONS - FTE COUNT	1.000	1.000
Personal Services	\$6,097,641	\$6,223,441
All Other	\$10,161,011	\$10,161,011
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$16,258,652</u>	<u>\$16,384,452</u>

**OTHER SPECIAL REVENUE FUNDS**

All Other	(\$1,003,999)	(\$1,003,999)
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$1,003,999)</u>	<u>(\$1,003,999)</u>

**Maine Center for Disease Control and Prevention 0143**

Initiative: Adjusts funding to cover the costs of administering the Health Inspection Program by redirecting the tobacco licensing fees revenues that are currently forecasted through the Revenue Forecasting Committee process from the General Fund to Other Special Revenue Funds.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
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All Other	\$221,500	\$221,500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$221,500	\$221,500

POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$165,822	\$169,443
FEDERAL BLOCK GRANT FUND TOTAL	\$165,822	\$169,443

**Maine Center for Disease Control and Prevention 0143**

Initiative: Transfers and reallocates 66 positions among various accounts within programs administered by the Maine Center for Disease Control and Prevention to place them in the proper functional location. Position detail is on file in the Bureau of the Budget.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$321,397	\$334,730
GENERAL FUND TOTAL	\$321,397	\$334,730

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(11.000)	(11.000)
Personal Services	(\$545,112)	(\$563,776)
FEDERAL EXPENDITURES FUND TOTAL	(\$545,112)	(\$563,776)

<b>FUND FOR A HEALTHY MAINE</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$133,547	\$133,485
All Other	(\$133,547)	(\$133,485)
FUND FOR A HEALTHY MAINE TOTAL	\$0	\$0

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(6.000)	(6.000)
Personal Services	\$955,204	\$994,050
OTHER SPECIAL REVENUE FUNDS TOTAL	\$955,204	\$994,050

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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**Maine Center for Disease Control and Prevention 0143**

Initiative: Transfers and reallocates one Public Service Manager II position funded 50% Federal Expenditures Fund and 50% Federal Block Grant Fund and one Planning and Research Associate II position funded 100% Federal Expenditures Fund in the Maine Center for Disease Control and Prevention program to 60% General Fund and 40% Other Special Revenue Funds in the Office of the Commissioner program to align duties with the proper funding source. Also adjusts funding for related All Other.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$126,703)	(\$132,896)
All Other	(\$13,680)	(\$13,887)
FEDERAL EXPENDITURES FUND TOTAL	(\$140,383)	(\$146,783)

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$55,911)	(\$58,641)
All Other	(\$5,017)	(\$5,108)
FEDERAL BLOCK GRANT FUND TOTAL	(\$60,928)	(\$63,749)

**Maine Center for Disease Control and Prevention 0143**

Initiative: Eliminates 189 positions from various programs within the Department of Health and Human Services and reduces funding for related All Other. Position detail is on file in the Bureau of the Budget.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(15.500)	(15.500)
Personal Services	(\$1,067,015)	(\$1,117,654)
All Other	(\$94,504)	(\$94,504)
GENERAL FUND TOTAL	(\$1,161,519)	(\$1,212,158)

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(6,000)	(6,000)
Personal Services	(\$436,971)	(\$457,680)
All Other	(\$49,239)	(\$49,931)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$486,210)</b>	<b>(\$507,611)</b>

FUND FOR A HEALTHY MAINE	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$189,261)	(\$198,500)
All Other	(\$18,919)	(\$19,227)
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>(\$208,180)</b>	<b>(\$217,727)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(0,500)	(0,500)
POSITIONS - FTE COUNT	(0,500)	(0,500)
Personal Services	(\$70,554)	(\$73,835)
All Other	(\$5,506)	(\$5,615)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$76,060)</b>	<b>(\$79,450)</b>

**Maine Center for Disease Control and Prevention 0143**

Initiative: Transfers and reallocates one Public Service Manager II position and related All Other from 100% Mental Health Services - Community program, General Fund to 35% General Fund and 65% Other Special Revenue Funds in the Maine Center for Disease Control and Prevention program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$43,683	\$43,925
All Other	\$2,134	\$2,134
<b>GENERAL FUND TOTAL</b>	<b>\$45,817</b>	<b>\$46,059</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$81,124	\$81,573
All Other	\$6,803	\$6,818
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$87,927</b>	<b>\$88,391</b>

**Maine Center for Disease Control and Prevention 0143**

Initiative: Transfers one Social Services Program Specialist II position and related All Other from the Office of Substance Abuse and Mental Health Services program to the Maine Center for Disease Control and Prevention program within the same fund. Also transfers and reallocates one Education Specialist I position from 100% General Fund in the Office of Substance Abuse and Mental Health Services program to 50% General Fund and 50% Federal Expenditures Fund in the Maine Center for Disease Control and Prevention program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$133,548	\$138,080
All Other	\$6,097	\$6,097
<b>GENERAL FUND TOTAL</b>	<b>\$139,645</b>	<b>\$144,177</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$43,435	\$43,754
All Other	\$7,750	\$7,761
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$51,185</b>	<b>\$51,515</b>

**Maine Center for Disease Control and Prevention 0143**

Initiative: Transfers funding between the Office of Substance Abuse and Mental Health Services program and the Maine Center for Disease Control and Prevention program within the same fund to consolidate prevention services.

FUND FOR A HEALTHY MAINE	2017-18	2018-19
All Other	\$777,504	\$777,504
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$777,504</b>	<b>\$777,504</b>

**Maine Center for Disease Control and Prevention 0143**

Initiative: Continues 5 limited-period Environmental Specialist III positions established in Public Law 2015, chapter 267 and funded 100% in the Fund for a Healthy Maine, Public Health Infrastructure program through June 8, 2019. Also provides funding for related All Other.

FUND FOR A HEALTHY MAINE	2017-18	2018-19
Personal Services	\$409,700	\$429,335
All Other	\$505,307	\$461,847
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$915,007</b>	<b>\$891,182</b>

**Maine Center for Disease Control and Prevention 0143**

Initiative: Reduces funding to align allocations with available resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$19,000)	(\$19,000)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$19,000)</b>	<b>(\$19,000)</b>

**MAINE CENTER FOR DISEASE CONTROL AND PREVENTION 0143**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	76.500	76.500
Personal Services	\$5,211,819	\$5,327,062
All Other	\$3,374,926	\$3,374,926
<b>GENERAL FUND TOTAL</b>	<b>\$8,586,745</b>	<b>\$8,701,988</b>

**FEDERAL EXPENDITURES FUND**

	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	106.500	106.500
Personal Services	\$9,253,228	\$9,479,512
All Other	\$42,792,451	\$42,791,563
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$52,045,679</b>	<b>\$52,271,075</b>

**FUND FOR A HEALTHY MAINE**

	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$1,202,968	\$1,241,793
All Other	\$13,328,253	\$13,284,547
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$14,531,221</b>	<b>\$14,526,340</b>

**OTHER SPECIAL REVENUE FUNDS**

	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	67.500	67.500
POSITIONS - FTE COUNT	0.500	0.500
Personal Services	\$7,063,415	\$7,225,229
All Other	\$7,857,809	\$7,857,715
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$14,921,224</b>	<b>\$15,082,944</b>

**FEDERAL BLOCK GRANT FUND**

	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$210,019	\$215,864
All Other	\$1,479,227	\$1,479,136
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$1,689,246</b>	<b>\$1,695,000</b>

**Maine Children's Growth Council Z074**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$2,000	\$2,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,000</b>	<b>\$2,000</b>

**MAINE CHILDREN'S GROWTH COUNCIL Z074**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$2,000	\$2,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,000	\$2,000
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**Maine Rx Plus Program 0927**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$135,786	\$135,786
OTHER SPECIAL REVENUE FUNDS TOTAL	\$135,786	\$135,786

**MAINE RX PLUS PROGRAM 0927 PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$135,786	\$135,786
OTHER SPECIAL REVENUE FUNDS TOTAL	\$135,786	\$135,786

**Maine School Oral Health Fund Z025**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$23,405	\$23,405
OTHER SPECIAL REVENUE FUNDS TOTAL	\$23,405	\$23,405

**MAINE SCHOOL ORAL HEALTH FUND Z025 PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$23,405	\$23,405
OTHER SPECIAL REVENUE FUNDS TOTAL	\$23,405	\$23,405

**Maine Water Well Drilling Program 0697**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$26,105	\$27,434

All Other	\$44,389	\$44,389
OTHER SPECIAL REVENUE FUNDS TOTAL	\$70,494	\$71,823

**Maine Water Well Drilling Program 0697**

Initiative: Transfers and reallocates 66 positions among various accounts within programs administered by the Maine Center for Disease Control and Prevention to place them in the proper functional location. Position detail is on file in the Bureau of the Budget.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	(\$5,221)	(\$5,490)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$5,221)	(\$5,490)

**MAINE WATER WELL DRILLING PROGRAM 0697 PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$20,884	\$21,944
All Other	\$44,389	\$44,389
OTHER SPECIAL REVENUE FUNDS TOTAL	\$65,273	\$66,333

**Maternal and Child Health 0191**

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$86,495	\$90,642
All Other	\$7,454,746	\$7,454,746
FEDERAL EXPENDITURES FUND TOTAL	\$7,541,241	\$7,545,388

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	25.000	25.000
Personal Services	\$2,271,320	\$2,333,778

All Other	\$652,409	\$652,409
FEDERAL BLOCK GRANT	\$2,923,729	\$2,986,187
FUND TOTAL		

**Maternal and Child Health 0191**

Initiative: Transfers and reallocates 66 positions among various accounts within programs administered by the Maine Center for Disease Control and Prevention to place them in the proper functional location. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$86,495)	(\$90,642)
FEDERAL EXPENDITURES FUND TOTAL	(\$86,495)	(\$90,642)

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(3,000)	(3,000)
Personal Services	(\$249,634)	(\$261,861)
FEDERAL BLOCK GRANT FUND TOTAL	(\$249,634)	(\$261,861)

**Maternal and Child Health 0191**

Initiative: Eliminates 189 positions from various programs within the Department of Health and Human Services and reduces funding for related All Other. Position detail is on file in the Bureau of the Budget.

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(9,000)	(9,000)
Personal Services	(\$799,352)	(\$837,045)
All Other	(\$83,387)	(\$84,645)
FEDERAL BLOCK GRANT FUND TOTAL	(\$882,739)	(\$921,690)

**MATERNAL AND CHILD HEALTH 0191 PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$7,454,746	\$7,454,746

FEDERAL EXPENDITURES FUND TOTAL	\$7,454,746	\$7,454,746
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FEDERAL BLOCK GRANT FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$1,222,334	\$1,234,872
All Other	\$569,022	\$567,764

FEDERAL BLOCK GRANT FUND TOTAL	\$1,791,356	\$1,802,636
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**Maternal and Child Health Block Grant Match Z008**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$402,319	\$411,277
All Other	\$4,892,116	\$4,892,116

GENERAL FUND TOTAL	\$5,294,435	\$5,303,393
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**Maternal and Child Health Block Grant Match Z008**

Initiative: Transfers and reallocates 66 positions among various accounts within programs administered by the Maine Center for Disease Control and Prevention to place them in the proper functional location. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	(\$136,893)	(\$139,165)

GENERAL FUND TOTAL	(\$136,893)	(\$139,165)
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**MATERNAL AND CHILD HEALTH BLOCK GRANT MATCH Z008**

GENERAL FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$265,426	\$272,112
All Other	\$4,892,116	\$4,892,116
<b>GENERAL FUND TOTAL</b>	<b>\$5,157,542</b>	<b>\$5,164,228</b>

**Medicaid Services - Developmental Services Z210**

Initiative: Adjusts funding through an increase in the annual cap for services provided under the MaineCare Benefits Manual, Chapters II and III, Section 29: Support Services for Adults with Intellectual Disabilities or Autistic Disorder from \$23,771 to \$47,500.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,186,213	\$1,581,617
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,186,213</b>	<b>\$1,581,617</b>

**Medicaid Services - Developmental Services Z210**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$25,682,003	\$25,682,003
<b>GENERAL FUND TOTAL</b>	<b>\$25,682,003</b>	<b>\$25,682,003</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$18,485,695	\$18,485,695
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$18,485,695</b>	<b>\$18,485,695</b>

**MEDICAID SERVICES - DEVELOPMENTAL SERVICES Z210**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$25,682,003	\$25,682,003
<b>GENERAL FUND TOTAL</b>	<b>\$25,682,003</b>	<b>\$25,682,003</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$19,671,908	\$20,067,312
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$19,671,908</b>	<b>\$20,067,312</b>

**Medicaid Waiver for Brain Injury Residential /Community Serv Z218**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$7,267,164	\$7,267,164
<b>GENERAL FUND TOTAL</b>	<b>\$7,267,164</b>	<b>\$7,267,164</b>

**MEDICAID WAIVER FOR BRAIN INJURY RESIDENTIAL /COMMUNITY SERV Z218**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$7,267,164	\$7,267,164
<b>GENERAL FUND TOTAL</b>	<b>\$7,267,164</b>	<b>\$7,267,164</b>

**Medicaid Waiver for Other Related Conditions Z217**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$2,942,946	\$2,942,946
<b>GENERAL FUND TOTAL</b>	<b>\$2,942,946</b>	<b>\$2,942,946</b>

**MEDICAID WAIVER FOR OTHER RELATED CONDITIONS Z217**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$2,942,946	\$2,942,946

GENERAL FUND TOTAL	\$2,942,946	\$2,942,946
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**Medical Care - Payments to Providers 0147**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$425,531,557	\$425,531,557
<b>GENERAL FUND TOTAL</b>	<b>\$425,531,557</b>	<b>\$425,531,557</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$1,570,389,924	\$1,570,389,924
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,570,389,924</b>	<b>\$1,570,389,924</b>

FUND FOR A HEALTHY MAINE	2017-18	2018-19
All Other	\$26,036,930	\$26,036,930
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$26,036,930</b>	<b>\$26,036,930</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$173,379,599	\$173,379,599
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$173,379,599</b>	<b>\$173,379,599</b>

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$34,295,576	\$34,295,576
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$34,295,576</b>	<b>\$34,295,576</b>

**Medical Care - Payments to Providers 0147**

Initiative: Adjusts funding in the Medical Care - Payments to Providers program between the General Fund and Other Special Revenue Funds related to rebasing the hospital tax year from fiscal year 2011-12 to fiscal year 2013-14.

GENERAL FUND	2017-18	2018-19
All Other	(\$7,541,145)	(\$7,541,145)

GENERAL FUND TOTAL	(\$7,541,145)	(\$7,541,145)
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$7,541,145	\$7,541,145
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$7,541,145</b>	<b>\$7,541,145</b>

**Medical Care - Payments to Providers 0147**

Initiative: Adjusts funding through an increase in the annual cap for services provided under the MaineCare Benefits Manual, Chapters II and III, Section 29: Support Services for Adults with Intellectual Disabilities or Autistic Disorder from \$23,771 to \$47,500.

GENERAL FUND	2017-18	2018-19
All Other	(\$221,352)	(\$295,219)
<b>GENERAL FUND TOTAL</b>	<b>(\$221,352)</b>	<b>(\$295,219)</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$12,322,579	\$16,427,552
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$12,322,579</b>	<b>\$16,427,552</b>

**MEDICAL CARE - PAYMENTS TO PROVIDERS 0147 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$417,769,060	\$417,695,193
<b>GENERAL FUND TOTAL</b>	<b>\$417,769,060</b>	<b>\$417,695,193</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$1,582,712,503	\$1,586,817,476
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,582,712,503</b>	<b>\$1,586,817,476</b>

FUND FOR A HEALTHY MAINE	2017-18	2018-19
All Other	\$26,036,930	\$26,036,930

FUND FOR A HEALTHY MAINE TOTAL	\$26,036,930	\$26,036,930
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$180,920,744	\$180,920,744

OTHER SPECIAL REVENUE FUNDS TOTAL	\$180,920,744	\$180,920,744
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FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$34,295,576	\$34,295,576

FEDERAL BLOCK GRANT FUND TOTAL	\$34,295,576	\$34,295,576
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**Medical Use of Marijuana Fund Z118**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$370,057	\$375,123
All Other	\$540,421	\$540,421

OTHER SPECIAL REVENUE FUNDS TOTAL	\$910,478	\$915,544
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**Medical Use of Marijuana Fund Z118**

Initiative: Transfers and reallocates 66 positions among various accounts within programs administered by the Maine Center for Disease Control and Prevention to place them in the proper functional location. Position detail is on file in the Bureau of the Budget.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$165,505	\$170,387

OTHER SPECIAL REVENUE FUNDS TOTAL	\$165,505	\$170,387
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**MEDICAL USE OF MARIJUANA FUND Z118**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$535,562	\$545,510
All Other	\$540,421	\$540,421

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,075,983	\$1,085,931
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**Mental Health Services - Child Medicaid Z207**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	\$34,262,243	\$34,262,243

GENERAL FUND TOTAL	\$34,262,243	\$34,262,243
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**MENTAL HEALTH SERVICES - CHILD MEDICAID Z207**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$34,262,243	\$34,262,243

GENERAL FUND TOTAL	\$34,262,243	\$34,262,243
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**Mental Health Services - Children Z206**

Initiative: Eliminates 189 positions from various programs within the Department of Health and Human Services and reduces funding for related All Other. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(13.000)	(13.000)
Personal Services	(\$1,116,512)	(\$1,148,807)
All Other	(\$79,261)	(\$79,261)

GENERAL FUND TOTAL	(\$1,195,773)	(\$1,228,068)
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**Mental Health Services - Children Z206**

Initiative: Transfers and reallocates one Public Service Coordinator II position, 2 Social Services Program Specialist I positions and one Social Services Program Specialist II position and related All Other from 100% Mental Health Services - Children program, General Fund to 72% General Fund and 28% Other Special

Revenue Funds in the Office of Child and Family Services - Central program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(4,000)	(4,000)
Personal Services	(\$345,118)	(\$360,900)
All Other	(\$17,559)	(\$17,559)
<b>GENERAL FUND TOTAL</b>	<b>(\$362,677)</b>	<b>(\$378,459)</b>

**Mental Health Services - Children Z206**

Initiative: Reduces allocation to align with available resources.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$1,875,664)	(\$1,875,664)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$1,875,664)</b>	<b>(\$1,875,664)</b>

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	(\$59,232)	(\$59,232)
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>(\$59,232)</b>	<b>(\$59,232)</b>

**Mental Health Services - Children Z206**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	48,000	48,000
Personal Services	\$4,127,812	\$4,232,314
<b>GENERAL FUND TOTAL</b>	<b>\$4,127,812</b>	<b>\$4,232,314</b>

**Mental Health Services - Children Z206**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	\$12,016,003	\$12,016,003
<b>GENERAL FUND TOTAL</b>	<b>\$12,016,003</b>	<b>\$12,016,003</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$2,844,755	\$2,844,755
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,844,755</b>	<b>\$2,844,755</b>

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$960,388	\$960,388
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$960,388</b>	<b>\$960,388</b>

**MENTAL HEALTH SERVICES - CHILDREN Z206**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	31,000	31,000
Personal Services	\$2,666,182	\$2,722,607
All Other	\$11,919,183	\$11,919,183
<b>GENERAL FUND TOTAL</b>	<b>\$14,585,365</b>	<b>\$14,641,790</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$969,091	\$969,091
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$969,091</b>	<b>\$969,091</b>

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$901,156	\$901,156
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$901,156</b>	<b>\$901,156</b>

**Mental Health Services - Community Z198**

Initiative: Transfers 2 Human Services Caseworker positions from the Developmental Services - Community program and one Health Program Manager posi-

tion from the Mental Health Services - Community program to the Brain Injury program within the same fund and adjusts related All Other.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$82,702)	(\$86,770)
All Other	(\$6,097)	(\$6,097)
<b>GENERAL FUND TOTAL</b>	<b>(\$88,799)</b>	<b>(\$92,867)</b>

**Mental Health Services - Community Z198**

Initiative: Transfers and reallocates one Public Service Manager II position and related All Other from 100% Mental Health Services - Community program, General Fund to 35% General Fund and 65% Other Special Revenue Funds in the Maine Center for Disease Control and Prevention program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$124,807)	(\$125,498)
All Other	(\$2,134)	(\$2,134)
<b>GENERAL FUND TOTAL</b>	<b>(\$126,941)</b>	<b>(\$127,632)</b>

**Mental Health Services - Community Z198**

Initiative: Transfers and reallocates 2 Statistician I positions and one Social Services Program Specialist II position from 100% Mental Health Services - Community program, General Fund, one Comprehensive Health Planner II position from 100% Office of Substance Abuse and Mental Health Services program, Federal Block Grant Fund and one Statistician I position and one Supervisor Data & Research position from 100% Office of Substance Abuse and Mental Health Services program, General Fund to 60% General Fund and 40% Other Special Revenue Funds in the Office of the Commissioner program. Also transfers related All Other.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(3,000)	(3,000)
Personal Services	(\$209,624)	(\$211,279)
All Other	(\$18,291)	(\$18,291)
<b>GENERAL FUND TOTAL</b>	<b>(\$227,915)</b>	<b>(\$229,570)</b>

**Mental Health Services - Community Z198**

Initiative: Transfers and reallocates one Behavioral Health Program Coordinator position and one Deputy Director Office of Aging and Mental Health Services position and related All Other from 100% Mental Health Services - Community program, General Fund to 50% General Fund and 50% Federal Expenditures Fund in the Office of MaineCare Services program. Also transfers and reallocates one Integrated System Manager position and related All Other from 100% Mental Health Services - Community program, General Fund to 60% General Fund and 40% Other Special Revenue Funds in the Office of the Commissioner program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(3,000)	(3,000)
Personal Services	(\$320,349)	(\$332,864)
All Other	(\$9,755)	(\$9,755)
<b>GENERAL FUND TOTAL</b>	<b>(\$330,104)</b>	<b>(\$342,619)</b>

**Mental Health Services - Community Z198**

Initiative: Reduces allocation to align with available resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$19,500)	(\$19,500)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$19,500)</b>	<b>(\$19,500)</b>

**Mental Health Services - Community Z198**

Initiative: Transfers appropriation from the Mental Health Services - Community program to the Brain Injury program within the same fund related to geriatric psychiatric services delivered in residential care facilities.

GENERAL FUND	2017-18	2018-19
All Other	(\$554,228)	(\$554,228)
<b>GENERAL FUND TOTAL</b>	<b>(\$554,228)</b>	<b>(\$554,228)</b>

**Mental Health Services - Community Z198**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	59,500	59,500
Personal Services	\$5,193,536	\$5,301,382
<b>GENERAL FUND TOTAL</b>	<b>\$5,193,536</b>	<b>\$5,301,382</b>

All Other	(\$12,194)	(\$12,194)
<b>GENERAL FUND TOTAL</b>	<b>(\$134,348)</b>	<b>(\$140,278)</b>

**Mental Health Services - Community Z198**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$21,843,628	\$21,843,628
<b>GENERAL FUND TOTAL</b>	<b>\$21,843,628</b>	<b>\$21,843,628</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$10,977,731	\$10,977,731
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$10,977,731</b>	<b>\$10,977,731</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$20,000	\$20,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$20,000</b>	<b>\$20,000</b>

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$960,388	\$960,388
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$960,388</b>	<b>\$960,388</b>

**Mental Health Services - Community Z198**

Initiative: Eliminates 189 positions from various programs within the Department of Health and Human Services and reduces funding for related All Other. Position detail is on file in the Bureau of the Budget.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$122,154)	(\$128,084)

**Mental Health Services - Community Z198**

Initiative: Continues one Social Services Manager I position previously established by Financial Order 003397 F6 and continued by Financial Order 003831 F7. Also provides funding for related All Other costs.

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$107,385	\$108,540
All Other	\$10,073	\$10,110
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$117,458</b>	<b>\$118,650</b>

**Mental Health Services - Community Z198**

Initiative: Reorganizes one vacant Behavioral Health Program Coordinator position to a Comprehensive Health Planner II position and transfers the position from the Mental Health Services - Community program to the Office of Substance Abuse and Mental Health Services program within the same fund. Reorganizes one vacant Social Services Program Specialist I position to a Comprehensive Health Planner II position, increases the hours of the position from 54 hours biweekly to 80 hours biweekly and transfers the position from the Mental Health Services - Community program to the Office of Substance Abuse and Mental Health Services program within the same fund. Also, eliminates one vacant Librarian I position from the Office of Substance Abuse and Mental Health Services program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$126,975)	(\$133,288)
All Other	(\$12,194)	(\$12,194)
<b>GENERAL FUND TOTAL</b>	<b>(\$139,169)</b>	<b>(\$145,482)</b>

**MENTAL HEALTH SERVICES - COMMUNITY Z198**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	47,500	47,500

Personal Services	\$4,206,925	\$4,283,599
All Other	\$21,228,735	\$21,228,735
<b>GENERAL FUND TOTAL</b>	<b>\$25,435,660</b>	<b>\$25,512,334</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$10,977,731	\$10,977,731
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$10,977,731</b>	<b>\$10,977,731</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>
<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$107,385	\$108,540
All Other	\$970,461	\$970,498
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$1,077,846</b>	<b>\$1,079,038</b>

**Mental Health Services - Community Medicaid Z201**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$39,547,419	\$39,547,419
<b>GENERAL FUND TOTAL</b>	<b>\$39,547,419</b>	<b>\$39,547,419</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$6,540,970	\$6,540,970
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$6,540,970</b>	<b>\$6,540,970</b>

**MENTAL HEALTH SERVICES - COMMUNITY MEDICAID Z201**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$39,547,419	\$39,547,419
<b>GENERAL FUND TOTAL</b>	<b>\$39,547,419</b>	<b>\$39,547,419</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$6,540,970	\$6,540,970
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$6,540,970</b>	<b>\$6,540,970</b>

**Multicultural Services Z034**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$105,008	\$105,161
All Other	\$18,707	\$18,707
<b>GENERAL FUND TOTAL</b>	<b>\$123,715</b>	<b>\$123,868</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$90,274	\$91,660
All Other	\$1,469,748	\$1,469,748
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,560,022</b>	<b>\$1,561,408</b>

**MULTICULTURAL SERVICES Z034**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$105,008	\$105,161
All Other	\$18,707	\$18,707
<b>GENERAL FUND TOTAL</b>	<b>\$123,715</b>	<b>\$123,868</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$90,274	\$91,660
All Other	\$1,469,748	\$1,469,748
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,560,022</b>	<b>\$1,561,408</b>

**Nursing Facilities 0148**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$93,313,433	\$93,313,433

<b>GENERAL FUND TOTAL</b>	<b>\$93,313,433</b>	<b>\$93,313,433</b>
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<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$234,344,126	\$234,344,126

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$234,344,126</b>	<b>\$234,344,126</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$37,981,646	\$37,981,646

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$37,981,646</b>	<b>\$37,981,646</b>
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**NURSING FACILITIES 0148**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$93,313,433	\$93,313,433

<b>GENERAL FUND TOTAL</b>	<b>\$93,313,433</b>	<b>\$93,313,433</b>
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<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$234,344,126	\$234,344,126

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$234,344,126</b>	<b>\$234,344,126</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$37,981,646	\$37,981,646

OTHER SPECIAL REVENUE FUNDS TOTAL	\$37,981,646	\$37,981,646
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**Office for Family Independence Z020**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	18.000	18.000

Personal Services	\$2,096,576	\$2,150,924
All Other	\$3,679,516	\$3,679,516

<b>GENERAL FUND TOTAL</b>	<b>\$5,776,092</b>	<b>\$5,830,440</b>
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<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$383,844	\$383,844

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$383,844</b>	<b>\$383,844</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	36.000	36.000

Personal Services	\$2,132,183	\$2,186,890
All Other	\$8,608,681	\$8,608,681

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$10,740,864</b>	<b>\$10,795,571</b>
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**Office for Family Independence Z020**

Initiative: Adjusts funding between the Office of the Commissioner District Operations program and the Office for Family Independence program related to rent costs and technology enhancements.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$70,000	\$70,000

<b>GENERAL FUND TOTAL</b>	<b>\$70,000</b>	<b>\$70,000</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$72,337	\$72,337

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$72,337</b>	<b>\$72,337</b>
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**Office for Family Independence Z020**

Initiative: Transfers and reallocates 2 Eligibility Specialist positions and related All Other from 45% General Fund and 55% Other Special Revenue Funds in the Office of Family Independence - District program to 50% General Fund and 50% Other Special Revenue Funds in the Office for Family Independence program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$68,913	\$70,818
All Other	\$6,097	\$6,097
<b>GENERAL FUND TOTAL</b>	<b>\$75,010</b>	<b>\$76,915</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$68,908	\$70,809
All Other	\$8,601	\$8,664
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$77,509</b>	<b>\$79,473</b>

**Office for Family Independence Z020**

Initiative: Transfers and reallocates one Public Service Coordinator II position and associated All Other from 50% General Fund and 50% Federal Expenditures Fund in the Office of MaineCare Services program to 50% General Fund and 50% Other Special Revenue Funds in the Office for Family Independence program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$61,972	\$62,318
All Other	\$3,049	\$3,049
<b>GENERAL FUND TOTAL</b>	<b>\$65,021</b>	<b>\$65,367</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$61,968	\$62,313
All Other	\$5,219	\$5,231
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$67,187</b>	<b>\$67,544</b>

**Office for Family Independence Z020**

Initiative: Reduces allocation to align with available resources and eliminates inactive accounts.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$383,844)	(\$383,844)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$383,844)</b>	<b>(\$383,844)</b>

**Office for Family Independence Z020**

Initiative: Eliminates one Family Independence Unit Supervisor position and related All Other from 50% General Fund and 50% Other Special Revenue Funds in the Office of Family Independence - District program and eliminates one Disability Claims Adjudicator position, 3 Disability Claims Examiner positions, 3 Office Assistant II positions and 2 Office Associate II positions and related All Other from 50% General Fund and 50% Other Special Revenue Funds in the Office for Family Independence program as of June 20, 2018. Also provides funding in All Other in the Office of Family Independence - District program, Other Special Revenue Funds to issue a contract for medical review services.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	(3.000)
Personal Services	\$0	(\$300,084)
All Other	\$0	(\$27,437)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$327,521)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	(6.000)
Personal Services	\$0	(\$300,101)
All Other	\$0	(\$38,370)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$338,471)</b>

**Office for Family Independence Z020**

Initiative: Transfers and reallocates one Eligibility Specialist position and related All Other from 50% General Fund and 50% Federal Expenditures Fund in the Office of MaineCare Services program to 50% General Fund and 50% Other Special Revenue Funds in the Office for Family Independence program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$33,789	\$35,306

All Other	\$3,049	\$3,049
<b>GENERAL FUND TOTAL</b>	<b>\$36,838</b>	<b>\$38,355</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$33,783	\$35,299
All Other	\$4,278	\$4,329
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$38,061</b>	<b>\$39,628</b>

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	36.000	30.000
Personal Services	\$2,296,842	\$2,055,210
All Other	\$9,867,154	\$9,873,083
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$12,163,996</b>	<b>\$11,928,293</b>

**Office for Family Independence Z020**

Initiative: Eliminates one Accounting Assistant Technician position, one Clerk IV position, one Customer Representative Assistant II position, 23 full-time Office Assistant II positions, one part-time Office Assistant II position and 3 Office Associate II positions and related All Other funded 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner program. Transfers savings from the Office of the Commissioner program to the Office for Family Independence program to cover technology costs.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,130,354	\$1,173,102
<b>GENERAL FUND TOTAL</b>	<b>\$1,130,354</b>	<b>\$1,173,102</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,168,038	\$1,212,211
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,168,038</b>	<b>\$1,212,211</b>

**Office of Advocacy - BDS Z209**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$326,815	\$326,815
<b>GENERAL FUND TOTAL</b>	<b>\$326,815</b>	<b>\$326,815</b>

**OFFICE FOR FAMILY INDEPENDENCE Z020**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	22.000	19.000
Personal Services	\$2,261,250	\$2,019,282
All Other	\$4,892,065	\$4,907,376
<b>GENERAL FUND TOTAL</b>	<b>\$7,153,315</b>	<b>\$6,926,658</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0

**OFFICE OF ADVOCACY - BDS Z209 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$326,815	\$326,815
<b>GENERAL FUND TOTAL</b>	<b>\$326,815</b>	<b>\$326,815</b>

**Office of Aging and Disability Services Adult Protective Services Z040**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	76.000	76.000
Personal Services	\$6,347,317	\$6,471,166
All Other	\$1,073,189	\$1,073,189
<b>GENERAL FUND TOTAL</b>	<b>\$7,420,506</b>	<b>\$7,544,355</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$126,528	\$126,528

OTHER SPECIAL	\$126,528	\$126,528
REVENUE FUNDS TOTAL		

**Office of Aging and Disability Services Adult Protective Services Z040**

Initiative: Eliminates 189 positions from various programs within the Department of Health and Human Services and reduces funding for related All Other. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$41,843)	(\$43,948)
All Other	(\$6,097)	(\$6,097)
<b>GENERAL FUND TOTAL</b>	<b>(\$47,940)</b>	<b>(\$50,045)</b>

**OFFICE OF AGING AND DISABILITY SERVICES ADULT PROTECTIVE SERVICES Z040**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	75,000	75,000
Personal Services	\$6,305,474	\$6,427,218
All Other	\$1,067,092	\$1,067,092
<b>GENERAL FUND TOTAL</b>	<b>\$7,372,566</b>	<b>\$7,494,310</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$126,528	\$126,528
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$126,528</b>	<b>\$126,528</b>

**Office of Aging and Disability Services Central Office 0140**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	17,000	17,000
Personal Services	\$1,336,041	\$1,378,787
All Other	\$4,019,148	\$4,019,148
<b>GENERAL FUND TOTAL</b>	<b>\$5,355,189</b>	<b>\$5,397,935</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5,000	5,000
Personal Services	\$433,473	\$445,087
All Other	\$10,616,476	\$10,616,476
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$11,049,949</b>	<b>\$11,061,563</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$204,000	\$204,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$204,000	\$204,000
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FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$415,000	\$415,000

FEDERAL BLOCK GRANT FUND TOTAL	\$415,000	\$415,000
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**Office of Aging and Disability Services Central Office 0140**

Initiative: Reduces allocation in the Office of Aging and Disability Services Central Office program to align with available resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$203,500)	(\$203,500)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$203,500)	(\$203,500)
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**Office of Aging and Disability Services Central Office 0140**

Initiative: Transfers appropriation related to a rate increase for personal care and related services pursuant to Resolve 2015, chapter 83 from the Office of Aging and Disability Services Central Office program, General Fund to the Long Term Care - Office of Aging and Disability Services program, General Fund.

GENERAL FUND	2017-18	2018-19
All Other	(\$1,226,400)	(\$1,226,400)

GENERAL FUND TOTAL	(\$1,226,400)	(\$1,226,400)
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**OFFICE OF AGING AND DISABILITY SERVICES CENTRAL OFFICE 0140**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	17.000	17.000
Personal Services	\$1,336,041	\$1,378,787
All Other	\$2,792,748	\$2,792,748
<b>GENERAL FUND TOTAL</b>	<b>\$4,128,789</b>	<b>\$4,171,535</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$433,473	\$445,087
All Other	\$10,616,476	\$10,616,476
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$11,049,949</b>	<b>\$11,061,563</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$415,000	\$415,000
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$415,000</b>	<b>\$415,000</b>

**Office of Child and Family Services - Central 0307**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	64.000	64.000
Personal Services	\$3,922,875	\$4,000,400
All Other	\$1,728,011	\$1,728,011
<b>GENERAL FUND TOTAL</b>	<b>\$5,650,886</b>	<b>\$5,728,411</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$896,668	\$896,668

FEDERAL EXPENDITURES FUND TOTAL	\$896,668	\$896,668
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$1,525,533	\$1,555,680
All Other	\$909,526	\$909,526
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,435,059</b>	<b>\$2,465,206</b>

**Office of Child and Family Services - Central 0307**

Initiative: Transfers and reallocates one Public Service Coordinator II position, 2 Social Services Program Specialist I positions and one Social Services Program Specialist II position and related All Other from 100% Mental Health Services - Children program, General Fund to 72% General Fund and 28% Other Special Revenue Funds in the Office of Child and Family Services - Central program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$248,484	\$259,844
All Other	\$17,559	\$17,559
<b>GENERAL FUND TOTAL</b>	<b>\$266,043</b>	<b>\$277,403</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$96,634	\$101,056
All Other	\$12,107	\$12,332
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$108,741</b>	<b>\$113,388</b>

**Office of Child and Family Services - Central 0307**

Initiative: Transfers and reallocates one Public Service Manager II position and 2 Social Services Supervisor positions and related All Other from 82% General Fund and 18% Other Special Revenue Funds in the Office of Child and Family Services - District program to 72% General Fund and 28% Other Special Revenue Funds in the Office of Child and Family Services - Central program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$223,446	\$226,703

All Other	\$13,170	\$13,170
<b>GENERAL FUND TOTAL</b>	<b>\$236,616</b>	<b>\$239,873</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$86,896	\$88,157
All Other	\$9,816	\$9,880
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$96,712</b>	<b>\$98,037</b>

**OFFICE OF CHILD AND FAMILY SERVICES - CENTRAL 0307 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	71.000	71.000
Personal Services	\$4,394,805	\$4,486,947
All Other	\$1,758,740	\$1,758,740
<b>GENERAL FUND TOTAL</b>	<b>\$6,153,545</b>	<b>\$6,245,687</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$896,668	\$896,668
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$896,668</b>	<b>\$896,668</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$1,709,063	\$1,744,893
All Other	\$931,449	\$931,738
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,640,512</b>	<b>\$2,676,631</b>

**Office of Child and Family Services - District 0452**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	516.500	516.500
Personal Services	\$32,423,239	\$33,380,276
All Other	\$4,652,066	\$4,652,066

<b>GENERAL FUND TOTAL</b>	<b>\$37,075,305</b>	<b>\$38,032,342</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$17	\$17
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$17</b>	<b>\$17</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$7,113,123	\$7,322,743
All Other	\$864,135	\$864,135
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$7,977,258</b>	<b>\$8,186,878</b>

**Office of Child and Family Services - District 0452**

Initiative: Eliminates 189 positions from various programs within the Department of Health and Human Services and reduces funding for related All Other. Position detail is on file in the Bureau of the Budget.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(2.500)	(2.500)
Personal Services	(\$98,299)	(\$103,222)
All Other	(\$15,243)	(\$15,243)
<b>GENERAL FUND TOTAL</b>	<b>(\$113,542)</b>	<b>(\$118,465)</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$21,579)	(\$22,656)
All Other	(\$720)	(\$756)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$22,299)</b>	<b>(\$23,412)</b>

**Office of Child and Family Services - District 0452**

Initiative: Reduces allocation to align with available resources and eliminates inactive programs.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$17)	(\$17)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$17)</b>	<b>(\$17)</b>

**Office of Child and Family Services - District 0452**

Initiative: Transfers and reallocates one Public Service Manager II position and 2 Social Services Supervisor positions and related All Other from 82% General Fund and 18% Other Special Revenue Funds in the Office of Child and Family Services - District program to 72% General Fund and 28% Other Special Revenue Funds in the Office of Child and Family Services - Central program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$254,479)	(\$258,185)
All Other	(\$14,999)	(\$14,999)
<b>GENERAL FUND TOTAL</b>	<b>(\$269,478)</b>	<b>(\$273,184)</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$55,863)	(\$56,675)
All Other	(\$5,267)	(\$5,294)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$61,130)</b>	<b>(\$61,969)</b>

**OFFICE OF CHILD AND FAMILY SERVICES - DISTRICT 0452**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	511.000	511.000
Personal Services	\$32,070,461	\$33,018,869
All Other	\$4,621,824	\$4,621,824
<b>GENERAL FUND TOTAL</b>	<b>\$36,692,285</b>	<b>\$37,640,693</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$7,035,681	\$7,243,412
All Other	\$858,148	\$858,085

OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,893,829	\$8,101,497
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**Office of Family Independence - District 0453**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	242.000	242.000
Personal Services	\$14,058,306	\$14,532,758
All Other	\$1,364,639	\$1,364,639
<b>GENERAL FUND TOTAL</b>	<b>\$15,422,945</b>	<b>\$15,897,397</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	222.000	222.000
Personal Services	\$17,065,989	\$17,641,015
All Other	\$2,847,023	\$2,847,023
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$19,913,012</b>	<b>\$20,488,038</b>

**Office of Family Independence - District 0453**

Initiative: Eliminates 189 positions from various programs within the Department of Health and Human Services and reduces funding for related All Other. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(6.000)	(6.000)
Personal Services	(\$332,690)	(\$349,481)
All Other	(\$36,582)	(\$36,582)
<b>GENERAL FUND TOTAL</b>	<b>(\$369,272)</b>	<b>(\$386,063)</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(7.000)	(7.000)
Personal Services	(\$406,593)	(\$427,106)
All Other	(\$57,676)	(\$58,360)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$464,269)</b>	<b>(\$485,466)</b>

**Office of Family Independence - District 0453**

Initiative: Continues 11 limited-period Customer Representative Associate II - Human Services positions through June 9, 2018, funded 50% General Fund and 50% Other Special Revenue Funds in the Office of Family Independence - District program, and provides funding in All Other to support the positions. These positions were originally established as limited-period positions by Public Law 2011, chapter 380 and continued by Public Law 2013, chapter 368 and by Public Law 2015, chapter 267.

GENERAL FUND	2017-18	2018-19
Personal Services	\$334,994	\$0
All Other	\$33,534	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$368,528</b>	<b>\$0</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$334,950	\$0
All Other	\$45,833	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$380,783</b>	<b>\$0</b>

**Office of Family Independence - District 0453**

Initiative: Transfers and reallocates 2 Eligibility Specialist positions and related All Other from 45% General Fund and 55% Other Special Revenue Funds in the Office of Family Independence - District program to 50% General Fund and 50% Other Special Revenue Funds in the Office for Family Independence program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$62,020)	(\$63,732)
All Other	(\$5,487)	(\$5,487)
<b>GENERAL FUND TOTAL</b>	<b>(\$67,507)</b>	<b>(\$69,219)</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$75,801)	(\$77,895)
All Other	(\$9,461)	(\$9,531)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$85,262)</b>	<b>(\$87,426)</b>

**Office of Family Independence - District 0453**

Initiative: Continues 16 limited-period Eligibility Specialist positions through June 8, 2019 funded 25% General Fund and 75% Other Special Revenue Funds in the Office of Family Independence - District program. These positions were originally established by Public Law 2013, chapter 368 and continued by Public Law 2015, chapter 267. Also provides funding for related All Other.

GENERAL FUND	2017-18	2018-19
Personal Services	\$270,288	\$276,224
All Other	\$24,388	\$24,388
<b>GENERAL FUND TOTAL</b>	<b>\$294,676</b>	<b>\$300,612</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$810,864	\$828,768
All Other	\$102,673	\$103,270
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$913,537</b>	<b>\$932,038</b>

**Office of Family Independence - District 0453**

Initiative: Transfers and reallocates one Office Associate II Supervisor position and related All Other from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 45% General Fund and 55% Other Special Revenue Funds in the Office of Family Independence - District program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$28,338	\$29,816
All Other	\$2,744	\$2,744
<b>GENERAL FUND TOTAL</b>	<b>\$31,082</b>	<b>\$32,560</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$34,635	\$36,441
All Other	\$4,621	\$4,681
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$39,256</b>	<b>\$41,122</b>

**Office of Family Independence - District 0453**

Initiative: Eliminates one Family Independence Unit Supervisor position and related All Other from 50% General Fund and 50% Other Special Revenue Funds

in the Office of Family Independence - District program and eliminates one Disability Claims Adjudicator position, 3 Disability Claims Examiner positions, 3 Office Assistant II positions and 2 Office Associate II positions and related All Other from 50% General Fund and 50% Other Special Revenue Funds in the Office for Family Independence program as of June 20, 2018. Also provides funding in All Other in the Office of Family Independence - District program, Other Special Revenue Funds to issue a contract for medical review services.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$44,601)
All Other	\$0	\$158,951
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$114,350</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$0	(\$44,594)
All Other	\$0	\$936,770

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$892,176</b>
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**OFFICE OF FAMILY INDEPENDENCE - DISTRICT 0453 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	236.000	235.000
Personal Services	\$14,297,216	\$14,380,984
All Other	\$1,383,236	\$1,508,653
<b>GENERAL FUND TOTAL</b>	<b>\$15,680,452</b>	<b>\$15,889,637</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	214.000	214.000
Personal Services	\$17,764,044	\$17,956,629
All Other	\$2,933,013	\$3,823,853

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$20,697,057</b>	<b>\$21,780,482</b>
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**Office of MaineCare Services 0129**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	40.000	40.000
Personal Services	\$5,586,221	\$5,737,965
All Other	\$23,028,881	\$23,028,881
<b>GENERAL FUND TOTAL</b>	<b>\$28,615,102</b>	<b>\$28,766,846</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	105.500	105.500
Personal Services	\$6,516,483	\$6,686,938
All Other	\$82,287,085	\$82,287,085

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$88,803,568</b>	<b>\$88,974,023</b>
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$1,245,917	\$1,245,917

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,245,917</b>	<b>\$1,245,917</b>
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FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$5,366,530	\$5,366,530

<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$5,366,530</b>	<b>\$5,366,530</b>
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FEDERAL EXPENDITURES FUND ARRA	2017-18	2018-19
All Other	\$1,505,768	\$1,505,768

<b>FEDERAL EXPENDITURES FUND ARRA TOTAL</b>	<b>\$1,505,768</b>	<b>\$1,505,768</b>
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**Office of MaineCare Services 0129**

Initiative: Transfers and reallocates one Public Service Coordinator II position and related All Other funding from 60% General Fund and 40% Other Special Revenue Funds in the Office of the Commissioner program to 50% General Fund and 50% Federal Expenditures Fund in the Office of MaineCare Services program.

GENERAL FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$61,710	\$62,042
All Other	\$3,049	\$3,049
<b>GENERAL FUND TOTAL</b>	<b>\$64,759</b>	<b>\$65,091</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$61,706	\$62,037
All Other	\$3,150	\$3,150
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$64,856</b>	<b>\$65,187</b>

**Office of MaineCare Services 0129**

Initiative: Eliminates 189 positions from various programs within the Department of Health and Human Services and reduces funding for related All Other. Position detail is on file in the Bureau of the Budget.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(4.000)	(4.000)
Personal Services	(\$550,431)	(\$573,734)
All Other	(\$24,388)	(\$24,388)
<b>GENERAL FUND TOTAL</b>	<b>(\$574,819)</b>	<b>(\$598,122)</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(11.500)	(11.500)
Personal Services	(\$627,165)	(\$652,308)
All Other	(\$93,391)	(\$94,231)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$720,556)</b>	<b>(\$746,539)</b>

**Office of MaineCare Services 0129**

Initiative: Provides one-time funding in the Long Term Care - Office of Aging and Disability Services program, General Fund and in the Office of MaineCare Services program, Federal Expenditures Fund to undertake the verification process of consumers and providers in the home and community-based setting as required by federal regulations.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$51,614	\$51,614

FEDERAL EXPENDITURES	\$51,614	\$51,614
<b>FUND TOTAL</b>		

**Office of MaineCare Services 0129**

Initiative: Transfers and reallocates one Public Service Coordinator II position and associated All Other from 50% General Fund and 50% Federal Expenditures Fund in the Office of MaineCare Services program to 50% General Fund and 50% Other Special Revenue Funds in the Office for Family Independence program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$61,968)	(\$62,313)
All Other	(\$3,049)	(\$3,049)

<b>GENERAL FUND TOTAL</b>	<b>(\$65,017)</b>	<b>(\$65,362)</b>
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**FEDERAL EXPENDITURES FUND**

POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$61,972)	(\$62,318)
All Other	(\$5,219)	(\$5,231)

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$67,191)</b>	<b>(\$67,549)</b>
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**Office of MaineCare Services 0129**

Initiative: Transfers and reallocates one Behavioral Health Program Coordinator position and one Deputy Director Office of Aging and Mental Health Services position and related All Other from 100% Mental Health Services - Community program, General Fund to 50% General Fund and 50% Federal Expenditures Fund in the Office of MaineCare Services program. Also transfers and reallocates one Integrated System Manager position and related All Other from 100% Mental Health Services - Community program, General Fund to 60% General Fund and 40% Other Special Revenue Funds in the Office of the Commissioner program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$102,813	\$106,133
All Other	\$6,097	\$6,097

<b>GENERAL FUND TOTAL</b>	<b>\$108,910</b>	<b>\$112,230</b>
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$102,804	\$106,126
All Other	\$9,732	\$9,843
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$112,536</b>	<b>\$115,969</b>

**Office of MaineCare Services 0129**

Initiative: Transfers and reallocates one Director Special Projects position and related All Other funded 50% General Fund and 50% Federal Expenditures Fund in the Office of MaineCare Services program to 60% General Fund and 40% Other Special Revenue Funds in the Office of the Commissioner program to align funding with duties. Also transfers one Public Service Manager I position and related All Other funded 50% General Fund and 50% Federal Expenditures Fund in the Office of MaineCare Services program to 50% General Fund and 50% Other Special Revenue Funds in the Office of the Commissioner program to align funding with duties.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$93,447)	(\$95,761)
All Other	(\$6,278)	(\$6,278)
<b>GENERAL FUND TOTAL</b>	<b>(\$99,725)</b>	<b>(\$102,039)</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$93,445)	(\$95,761)
All Other	(\$9,606)	(\$9,684)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$103,051)</b>	<b>(\$105,445)</b>

**Office of MaineCare Services 0129**

Initiative: Provides allocation in the Office of MaineCare Services program, Federal Block Grant Fund for allocated payroll and associated All Other costs.

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
Personal Services	\$120,738	\$120,738
All Other	\$4,031	\$4,031

FEDERAL BLOCK GRANT FUND TOTAL	\$124,769	\$124,769
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**Office of MaineCare Services 0129**

Initiative: Transfers and reallocates one Clerk IV position from 50% General Fund and 50% Federal Expenditures Fund in the Office of MaineCare Services program in the Department of Health and Human Services to 100% Financial and Personnel Services Fund in the Division of Financial and Personnel Services program in the Department of Administrative and Financial Services. Also increases All Other in an equivalent amount in the Office of MaineCare Services program to fund the services now provided by the Department of Administrative and Financial Services.

GENERAL FUND	2017-18	2018-19
Personal Services	(\$37,591)	(\$39,217)
All Other	\$37,591	\$39,217
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$37,597)	(\$39,223)
All Other	\$37,597	\$39,223
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Office of MaineCare Services 0129**

Initiative: Transfers and reallocates one Eligibility Specialist position and related All Other from 50% General Fund and 50% Federal Expenditures Fund in the Office of MaineCare Services program to 50% General Fund and 50% Other Special Revenue Funds in the Office for Family Independence program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$33,789)	(\$35,306)
All Other	(\$3,049)	(\$3,049)

<b>GENERAL FUND TOTAL</b>	<b>(\$36,838)</b>	<b>(\$38,355)</b>
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	(\$33,783)	(\$35,299)

All Other	(\$4,278)	(\$4,329)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$38,061)</b>	<b>(\$39,628)</b>

**OFFICE OF MAINECARE SERVICES 0129  
PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	37.000	37.000
Personal Services	\$4,973,518	\$5,099,809
All Other	\$23,038,854	\$23,040,480
<b>GENERAL FUND TOTAL</b>	<b>\$28,012,372</b>	<b>\$28,140,289</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	91.000	91.000
Personal Services	\$5,827,031	\$5,970,192
All Other	\$82,276,684	\$82,277,440
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$88,103,715</b>	<b>\$88,247,632</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,245,917	\$1,245,917
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,245,917</b>	<b>\$1,245,917</b>

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$120,738	\$120,738
All Other	\$5,370,561	\$5,370,561
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$5,491,299</b>	<b>\$5,491,299</b>

<b>FEDERAL EXPENDITURES FUND ARRA</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,505,768	\$1,505,768
<b>FEDERAL EXPENDITURES FUND ARRA TOTAL</b>	<b>\$1,505,768</b>	<b>\$1,505,768</b>

**Office of Substance Abuse & Mental Health Srvc Medicaid Seed Z202**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$4,979,486	\$4,979,486
<b>GENERAL FUND TOTAL</b>	<b>\$4,979,486</b>	<b>\$4,979,486</b>

<b>FUND FOR A HEALTHY MAINE</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,306,059	\$1,306,059
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$1,306,059</b>	<b>\$1,306,059</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$625,716	\$625,716
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$625,716</b>	<b>\$625,716</b>

**OFFICE OF SUBSTANCE ABUSE & MENTAL HEALTH SRV-MEDICAID SEED Z202**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$4,979,486	\$4,979,486
<b>GENERAL FUND TOTAL</b>	<b>\$4,979,486</b>	<b>\$4,979,486</b>

<b>FUND FOR A HEALTHY MAINE</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,306,059	\$1,306,059
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$1,306,059</b>	<b>\$1,306,059</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$625,716	\$625,716
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$625,716</b>	<b>\$625,716</b>

**Office of Substance Abuse and Mental Health Services Z199**

Initiative: Eliminates 189 positions from various programs within the Department of Health and Human Services and reduces funding for related All Other. Position detail is on file in the Bureau of the Budget.

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$59,795)	(\$62,534)
All Other	(\$8,296)	(\$8,388)
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>(\$68,091)</b>	<b>(\$70,922)</b>

**Office of Substance Abuse and Mental Health Services Z199**

Initiative: Transfers one Social Services Program Specialist II position and related All Other from the Office of Substance Abuse and Mental Health Services program to the Maine Center for Disease Control and Prevention program within the same fund. Also transfers and reallocates one Education Specialist I position from 100% General Fund in the Office of Substance Abuse and Mental Health Services program to 50% General Fund and 50% Federal Expenditures Fund in the Maine Center for Disease Control and Prevention program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$176,983)	(\$181,834)
All Other	(\$6,097)	(\$6,097)
<b>GENERAL FUND TOTAL</b>	<b>(\$183,080)</b>	<b>(\$187,931)</b>

**Office of Substance Abuse and Mental Health Services Z199**

Initiative: Transfers and reallocates 2 Statistician I positions and one Social Services Program Specialist II position from 100% Mental Health Services - Community program, General Fund, one Comprehensive Health Planner II position from 100% Office of Substance Abuse and Mental Health Services program, Federal Block Grant Fund and one Statistician I position and one Supervisor Data & Research position from 100% Office of Substance Abuse and Mental Health Services program, General Fund to 60% General Fund and 40% Other Special Revenue Funds in the Office of the Commissioner program. Also transfers related All Other.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$164,658)	(\$168,281)
All Other	(\$12,194)	(\$12,194)
<b>GENERAL FUND TOTAL</b>	<b>(\$176,852)</b>	<b>(\$180,475)</b>

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$84,581)	(\$88,428)
All Other	(\$2,823)	(\$2,952)
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>(\$87,404)</b>	<b>(\$91,380)</b>

**Office of Substance Abuse and Mental Health Services Z199**

Initiative: Reduces allocation to align with available resources.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$6,208)	(\$6,208)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$6,208)</b>	<b>(\$6,208)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$525,402)	(\$525,402)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$525,402)</b>	<b>(\$525,402)</b>

**Office of Substance Abuse and Mental Health Services Z199**

Initiative: Transfers funding between the Office of Substance Abuse and Mental Health Services program and the Maine Center for Disease Control and Prevention program within the same fund to consolidate prevention services.

FUND FOR A HEALTHY MAINE	2017-18	2018-19
All Other	(\$777,504)	(\$777,504)
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>(\$777,504)</b>	<b>(\$777,504)</b>

**Office of Substance Abuse and Mental Health Services Z199**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$980,461	\$1,009,116
<b>GENERAL FUND TOTAL</b>	<b>\$980,461</b>	<b>\$1,009,116</b>
<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$536,517	\$554,133
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$536,517</b>	<b>\$554,133</b>

**Office of Substance Abuse and Mental Health Services Z199**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$12,124,142	\$12,124,142
<b>GENERAL FUND TOTAL</b>	<b>\$12,124,142</b>	<b>\$12,124,142</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$2,897,488	\$2,897,488
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,897,488</b>	<b>\$2,897,488</b>
<b>FUND FOR A HEALTHY MAINE</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,848,306	\$1,848,306

FUND FOR A HEALTHY MAINE TOTAL	\$1,848,306	\$1,848,306
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$624,529	\$624,529
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$624,529</b>	<b>\$624,529</b>
<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$6,574,734	\$6,574,734
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$6,574,734</b>	<b>\$6,574,734</b>

**Office of Substance Abuse and Mental Health Services Z199**

Initiative: Continues one Planning and Research Associate I position and one Management Analyst I position previously established by Financial Order 003896 F7. Also provides funding for related All Other costs.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$141,960	\$148,614
All Other	\$17,714	\$17,936
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$159,674</b>	<b>\$166,550</b>

**Office of Substance Abuse and Mental Health Services Z199**

Initiative: Reorganizes one vacant Behavioral Health Program Coordinator position to a Comprehensive Health Planner II position and transfers the position from the Mental Health Services - Community program to the Office of Substance Abuse and Mental Health Services program within the same fund. Reorganizes one vacant Social Services Program Specialist I position to a Comprehensive Health Planner II position, increases the hours of the position from 54 hours biweekly to 80 hours biweekly and transfers the position from the Mental Health Services - Community program to the Office of Substance Abuse and Mental Health Services program within the same fund. Also, eliminates one vacant Librarian I position from the Office of Substance Abuse and Mental Health Services program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$125,506	\$131,098
All Other	\$6,097	\$6,097
<b>GENERAL FUND TOTAL</b>	<b>\$131,603</b>	<b>\$137,195</b>

**OFFICE OF SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES Z199**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$764,326	\$790,099
All Other	\$12,111,948	\$12,111,948
<b>GENERAL FUND TOTAL</b>	<b>\$12,876,274</b>	<b>\$12,902,047</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$141,960	\$148,614
All Other	\$2,908,994	\$2,909,216
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$3,050,954</b>	<b>\$3,057,830</b>

FUND FOR A HEALTHY MAINE	2017-18	2018-19
All Other	\$1,070,802	\$1,070,802

<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$1,070,802</b>	<b>\$1,070,802</b>
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$99,127	\$99,127

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$99,127</b>	<b>\$99,127</b>
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FEDERAL BLOCK GRANT FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$392,141	\$403,171

All Other	\$6,563,615	\$6,563,394
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$6,955,756</b>	<b>\$6,966,565</b>

**Office of the Commissioner 0142**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	44.500	44.500
Personal Services	\$3,388,440	\$3,470,833
All Other	\$6,826,916	\$6,826,916
<b>GENERAL FUND TOTAL</b>	<b>\$10,215,356</b>	<b>\$10,297,749</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$525,291	\$525,291
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$525,291</b>	<b>\$525,291</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$2,374,847	\$2,431,377
All Other	\$7,581,663	\$7,581,663
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$9,956,510</b>	<b>\$10,013,040</b>

FEDERAL EXPENDITURES FUND ARRA	2017-18	2018-19
All Other	\$4,361	\$4,361

<b>FEDERAL EXPENDITURES FUND ARRA TOTAL</b>	<b>\$4,361</b>	<b>\$4,361</b>
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**Office of the Commissioner 0142**

Initiative: Transfers and reallocates one Public Service Manager II position funded 50% Federal Expenditures Fund and 50% Federal Block Grant Fund and one Planning and Research Associate II position funded 100% Federal Expenditures Fund in the Maine Center for Disease Control and Prevention program to 60% General Fund and 40% Other Special Revenue Funds in the Office of the Commissioner program to align

duties with the proper funding source. Also adjusts funding for related All Other.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$109,569	\$114,921
All Other	\$7,317	\$7,317
<b>GENERAL FUND TOTAL</b>	<b>\$116,886</b>	<b>\$122,238</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$73,045	\$76,616
All Other	\$7,479	\$7,598
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$80,524</b>	<b>\$84,214</b>

**Office of the Commissioner 0142**

Initiative: Transfers and reallocates the cost of 18 Accounting Assistant Technician positions and 5 Clerk IV positions from the Department of Health and Human Services, Office of the Commissioner District Operations program, 64% General Fund and 36% Other Special Revenue Funds, to the Department of Administrative and Financial Services, Division of Financial and Personnel Services program, 100% Financial and Personnel Services Fund. Also increases All Other in an equivalent amount in the Office of the Commissioner program to pay for the financial and accounting services now provided by the Department of Administrative and Financial Services.

GENERAL FUND	2017-18	2018-19
All Other	\$935,655	\$966,962
<b>GENERAL FUND TOTAL</b>	<b>\$935,655</b>	<b>\$966,962</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$526,305	\$543,924
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$526,305</b>	<b>\$543,924</b>

**Office of the Commissioner 0142**

Initiative: Reduces allocation to align with available resources.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
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All Other	(\$373,191)	(\$373,191)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$373,191)</b>	<b>(\$373,191)</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$326,516)	(\$326,516)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$326,516)</b>	<b>(\$326,516)</b>
<b>FEDERAL EXPENDITURES FUND ARRA</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$4,361)	(\$4,361)
<b>FEDERAL EXPENDITURES FUND ARRA TOTAL</b>	<b>(\$4,361)</b>	<b>(\$4,361)</b>

**Office of the Commissioner 0142**

Initiative: Transfers and reallocates one Public Service Coordinator II position and related All Other funding from 60% General Fund and 40% Other Special Revenue Funds in the Office of the Commissioner program to 50% General Fund and 50% Federal Expenditures Fund in the Office of MaineCare Services program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$74,050)	(\$74,448)
All Other	(\$3,659)	(\$3,659)
<b>GENERAL FUND TOTAL</b>	<b>(\$77,709)</b>	<b>(\$78,107)</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$49,366)	(\$49,631)
All Other	(\$2,520)	(\$2,520)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$51,886)</b>	<b>(\$52,151)</b>

**Office of the Commissioner 0142**

Initiative: Eliminates 189 positions from various programs within the Department of Health and Human Services and reduces funding for related All Other. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	(6,000)	(6,000)
Personal Services	(\$260,451)	(\$273,230)
All Other	(\$36,582)	(\$36,582)

GENERAL FUND TOTAL	(\$297,033)	(\$309,812)
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**OTHER SPECIAL REVENUE FUNDS**

Personal Services	(\$188,094)	(\$197,360)
All Other	(\$6,279)	(\$6,588)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$194,373)	(\$203,948)
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**Office of the Commissioner 0142**

Initiative: Provides funding in the Office of the Commissioner program due to increases in costs for financial, accounting and human resource management services provided by the Department of Administrative and Financial Services.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$383,672	\$419,968

GENERAL FUND TOTAL	\$383,672	\$419,968
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**OTHER SPECIAL REVENUE FUNDS**

All Other	\$194,666	\$213,081
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$194,666	\$213,081
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**Office of the Commissioner 0142**

Initiative: Transfers and reallocates one Public Service Executive II position and one Public Service Manager II position and related All Other from 100% Developmental Services - Community program, General Fund to 60% General Fund and 40% Other Special Revenue Funds within the Office of the Commissioner program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$152,390	\$156,295
All Other	\$7,317	\$7,317

GENERAL FUND TOTAL	\$159,707	\$163,612
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**OTHER SPECIAL REVENUE FUNDS**

Personal Services	\$101,595	\$104,198
All Other	\$4,877	\$4,877

OTHER SPECIAL REVENUE FUNDS TOTAL	\$106,472	\$109,075
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**Office of the Commissioner 0142**

Initiative: Transfers and reallocates 2 Statistician I positions and one Social Services Program Specialist II position from 100% Mental Health Services - Community program, General Fund, one Comprehensive Health Planner II position from 100% Office of Substance Abuse and Mental Health Services program, Federal Block Grant Fund and one Statistician I position and one Supervisor Data & Research position from 100% Office of Substance Abuse and Mental Health Services program, General Fund to 60% General Fund and 40% Other Special Revenue Funds in the Office of the Commissioner program. Also transfers related All Other.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	6,000	6,000

Personal Services	\$275,317	\$280,791
All Other	\$21,949	\$21,949

GENERAL FUND TOTAL	\$297,266	\$302,740
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**OTHER SPECIAL REVENUE FUNDS**

Personal Services	\$183,546	\$187,197
All Other	\$21,248	\$21,370

OTHER SPECIAL REVENUE FUNDS TOTAL	\$204,794	\$208,567
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**Office of the Commissioner 0142**

Initiative: Transfers and reallocates one Behavioral Health Program Coordinator position and one Deputy Director Office of Aging and Mental Health Services position and related All Other from 100% Mental Health Services - Community program, General Fund to 50% General Fund and 50% Federal Expenditures Fund in the Office of MaineCare Services program. Also transfers and reallocates one Integrated System Manager position and related All Other from 100% Mental Health Services - Community program, General Fund to 60% General Fund and 40% Other Spe-

cial Revenue Funds in the Office of the Commissioner program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$68,840	\$72,364
All Other	\$3,658	\$3,658
<b>GENERAL FUND TOTAL</b>	<b>\$72,498</b>	<b>\$76,022</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$45,892	\$48,241
All Other	\$4,052	\$4,131
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$49,944</b>	<b>\$52,372</b>

**Office of the Commissioner 0142**

Initiative: Transfers and reallocates one Director Special Projects position and related All Other funded 50% General Fund and 50% Federal Expenditures Fund in the Office of MaineCare Services program to 60% General Fund and 40% Other Special Revenue Funds in the Office of the Commissioner program to align funding with duties. Also transfers one Public Service Manager I position and related All Other funded 50% General Fund and 50% Federal Expenditures Fund in the Office of MaineCare Services program to 50% General Fund and 50% Other Special Revenue Funds in the Office of the Commissioner program to align funding with duties.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$101,694	\$104,405
All Other	\$6,906	\$6,906
<b>GENERAL FUND TOTAL</b>	<b>\$108,600</b>	<b>\$111,311</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$85,198	\$87,117
All Other	\$8,682	\$8,747
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$93,880</b>	<b>\$95,864</b>

**Office of the Commissioner 0142**

Initiative: Eliminates one Accounting Assistant Technician position, one Clerk IV position, one Customer Representative Assistant II position, 23 full-time Office Assistant II positions, one part-time Office Assistant II position and 3 Office Associate II positions and related All Other funded 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner program. Transfers savings from the Office of the Commissioner program to the Office for Family Independence program to cover technology costs.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(29.500)	(29.500)
Personal Services	(\$1,013,291)	(\$1,056,039)
All Other	(\$117,063)	(\$117,063)
<b>GENERAL FUND TOTAL</b>	<b>(\$1,130,354)</b>	<b>(\$1,173,102)</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$569,956)	(\$594,022)
All Other	(\$87,043)	(\$87,846)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$656,999)</b>	<b>(\$681,868)</b>

**Office of the Commissioner 0142**

Initiative: Transfers all positions and All Other from the General Fund and Other Special Revenue Funds in the Division of Contract Management, Division of Audit, Division of Administrative Hearings and the Office of the Commissioner District Operations programs to the General Fund and Other Special Revenue Funds in the Office of the Commissioner program and closes accounts under the respective programs. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	177.000	177.000
Personal Services	\$7,613,418	\$7,825,222
All Other	\$6,654,057	\$6,654,057
<b>GENERAL FUND TOTAL</b>	<b>\$14,267,475</b>	<b>\$14,479,279</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$5,612,040	\$5,761,777
All Other	\$4,669,628	\$4,669,589

OTHER SPECIAL	\$10,281,668	\$10,431,366
REVENUE FUNDS TOTAL		

**Office of the Commissioner 0142**

Initiative: Provides one-time funds for the establishment of a diversion prevention grant.

GENERAL FUND	2017-18	2018-19
All Other	\$75,000	\$75,000
GENERAL FUND TOTAL	\$75,000	\$75,000

**OFFICE OF THE COMMISSIONER 0142  
PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	198.000	198.000
Personal Services	\$10,361,876	\$10,621,114
All Other	\$14,765,143	\$14,832,746
GENERAL FUND TOTAL	\$25,127,019	\$25,453,860

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$152,100	\$152,100
FEDERAL EXPENDITURES FUND TOTAL	\$152,100	\$152,100

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$7,668,747	\$7,855,510
All Other	\$12,596,242	\$12,631,510
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,264,989	\$20,487,020

FEDERAL EXPENDITURES FUND ARRA	2017-18	2018-19
All Other	\$0	\$0
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$0	\$0

**Office of the Commissioner District Operations 0196**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	49.000	49.000
Personal Services	\$3,673,056	\$3,801,327
All Other	\$6,372,023	\$6,372,023
GENERAL FUND TOTAL	\$10,045,079	\$10,173,350

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	44.000	44.000
Personal Services	\$2,066,031	\$2,138,227
All Other	\$4,254,992	\$4,254,992
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,321,023	\$6,393,219

**Office of the Commissioner District Operations 0196**

Initiative: Transfers and reallocates the cost of 18 Accounting Assistant Technician positions and 5 Clerk IV positions from the Department of Health and Human Services, Office of the Commissioner District Operations program, 64% General Fund and 36% Other Special Revenue Funds, to the Department of Administrative and Financial Services, Division of Financial and Personnel Services Fund. Also increases All Other in an equivalent amount in the Office of the Commissioner program to pay for the financial and accounting services now provided by the Department of Administrative and Financial Services.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(13.000)	(13.000)
Personal Services	(\$935,655)	(\$966,962)
GENERAL FUND TOTAL	(\$935,655)	(\$966,962)

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(10.000)	(10.000)
Personal Services	(\$526,305)	(\$543,924)

OTHER SPECIAL	(\$526,305)	(\$543,924)
REVENUE FUNDS TOTAL		

**Office of the Commissioner District Operations 0196**

Initiative: Transfers all positions and All Other from the General Fund and Other Special Revenue Funds in the Division of Contract Management, Division of Audit, Division of Administrative Hearings and Office of the Commissioner District Operations programs to the General Fund and Other Special Revenue Funds in the Office of the Commissioner program and closes accounts under the respective programs. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(35.000)	(35.000)
Personal Services	(\$2,697,098)	(\$2,791,961)
All Other	(\$6,278,521)	(\$6,278,521)
<b>GENERAL FUND TOTAL</b>	<b>(\$8,975,619)</b>	<b>(\$9,070,482)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(34.000)	(34.000)
Personal Services	(\$1,517,056)	(\$1,570,450)
All Other	(\$4,199,885)	(\$4,199,846)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$5,716,941)</b>	<b>(\$5,770,296)</b>

**Office of the Commissioner District Operations 0196**

Initiative: Adjusts funding between the Office of the Commissioner District Operations program and the Office for Family Independence program related to rent costs and technology enhancements.

GENERAL FUND	2017-18	2018-19
All Other	(\$89,600)	(\$89,600)
<b>GENERAL FUND TOTAL</b>	<b>(\$89,600)</b>	<b>(\$89,600)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$52,082)	(\$52,082)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$52,082)	(\$52,082)
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**Office of the Commissioner District Operations 0196**

Initiative: Transfers and reallocates one Office Associate II Supervisor position and related All Other from 64% General Fund and 36% Other Special Revenue Funds in the Office of the Commissioner District Operations program to 45% General Fund and 55% Other Special Revenue Funds in the Office of Family Independence - District program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$40,303)	(\$42,404)
All Other	(\$3,902)	(\$3,902)
<b>GENERAL FUND TOTAL</b>	<b>(\$44,205)</b>	<b>(\$46,306)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	(\$22,670)	(\$23,853)
All Other	(\$3,025)	(\$3,064)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$25,695)	(\$26,917)
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**OFFICE OF THE COMMISSIONER DISTRICT OPERATIONS 0196 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0

GENERAL FUND TOTAL	\$0	\$0
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
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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**Plumbing - Control Over 0205**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$269,017	\$270,972
All Other	\$822,020	\$822,020
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,091,037</b>	<b>\$1,092,992</b>

**Plumbing - Control Over 0205**

Initiative: Reduces allocation to align with available resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$490,000)	(\$490,000)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$490,000)</b>	<b>(\$490,000)</b>

**Plumbing - Control Over 0205**

Initiative: Transfers and reallocates 66 positions among various accounts within programs administered by the Maine Center for Disease Control and Prevention to place them in the proper functional location. Position detail is on file in the Bureau of the Budget.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$105,553	\$107,131
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$105,553</b>	<b>\$107,131</b>

**PLUMBING - CONTROL OVER 0205**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$374,570	\$378,103
All Other	\$332,020	\$332,020
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$706,590</b>	<b>\$710,123</b>

**PNMI Room and Board Z009**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$15,251,947	\$15,251,947
<b>GENERAL FUND TOTAL</b>	<b>\$15,251,947</b>	<b>\$15,251,947</b>

All Other	\$15,251,947	\$15,251,947
<b>GENERAL FUND TOTAL</b>	<b>\$15,251,947</b>	<b>\$15,251,947</b>

**PNMI ROOM AND BOARD Z009 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$15,251,947	\$15,251,947
<b>GENERAL FUND TOTAL</b>	<b>\$15,251,947</b>	<b>\$15,251,947</b>

**Prescription Drug Academic Detailing Z055**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$106,253	\$106,253
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$106,253</b>	<b>\$106,253</b>

**Prescription Drug Academic Detailing Z055**

Initiative: Provides allocation to align with available resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$100,000	\$100,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$100,000</b>	<b>\$100,000</b>

**PRESCRIPTION DRUG ACADEMIC DETAILING Z055**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$206,253	\$206,253
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$206,253</b>	<b>\$206,253</b>

**Purchased Social Services 0228**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$46,759	\$47,259

All Other	\$6,625,590	\$6,625,590
<b>GENERAL FUND TOTAL</b>	<b>\$6,672,349</b>	<b>\$6,672,849</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$4,382,844	\$4,382,844
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$4,382,844</b>	<b>\$4,382,844</b>

<b>FUND FOR A HEALTHY MAINE</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,971,118	\$1,971,118
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$1,971,118</b>	<b>\$1,971,118</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$46,755	\$47,255
All Other	\$71,266	\$71,266
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$118,021</b>	<b>\$118,521</b>

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$80,495	\$83,927
All Other	\$8,000,305	\$8,000,305
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$8,080,800</b>	<b>\$8,084,232</b>

**Purchased Social Services 0228**

Initiative: Transfers and reallocates 66 positions among various accounts within programs administered by the Maine Center for Disease Control and Prevention to place them in the proper functional location. Position detail is on file in the Bureau of the Budget.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$73,893	\$77,489
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$73,893</b>	<b>\$77,489</b>

**Purchased Social Services 0228**

Initiative: Provides allocation to align with available resources.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$2,500,000	\$2,500,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,500,000</b>	<b>\$2,500,000</b>

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$2,036,079	\$2,036,079
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$2,036,079</b>	<b>\$2,036,079</b>

**PURCHASED SOCIAL SERVICES 0228 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$46,759	\$47,259
All Other	\$6,625,590	\$6,625,590
<b>GENERAL FUND TOTAL</b>	<b>\$6,672,349</b>	<b>\$6,672,849</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$73,893	\$77,489
All Other	\$6,882,844	\$6,882,844
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$6,956,737</b>	<b>\$6,960,333</b>

<b>FUND FOR A HEALTHY MAINE</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,971,118	\$1,971,118
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$1,971,118</b>	<b>\$1,971,118</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$46,755	\$47,255
All Other	\$71,266	\$71,266

OTHER SPECIAL REVENUE FUNDS TOTAL	\$118,021	\$118,521
<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$80,495	\$83,927
All Other	\$10,036,384	\$10,036,384
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$10,116,879</b>	<b>\$10,120,311</b>

**Rape Crisis Control 0488**

Initiative: BASELINE BUDGET

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$32,720	\$32,720
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$32,720</b>	<b>\$32,720</b>

**RAPE CRISIS CONTROL 0488**

**PROGRAM SUMMARY**

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$32,720	\$32,720
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$32,720</b>	<b>\$32,720</b>

**Residential Treatment Facilities Assessment Z197**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,658,000	\$1,658,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,658,000</b>	<b>\$1,658,000</b>

**RESIDENTIAL TREATMENT FACILITIES ASSESSMENT Z197**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,658,000	\$1,658,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,658,000</b>	<b>\$1,658,000</b>

**Risk Reduction 0489**

Initiative: BASELINE BUDGET

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$34,425	\$34,878
All Other	\$1,027	\$1,027
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$35,452</b>	<b>\$35,905</b>

**Risk Reduction 0489**

Initiative: Reduces allocation to align with available resources.

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$1,027)	(\$1,027)
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>(\$1,027)</b>	<b>(\$1,027)</b>

**Risk Reduction 0489**

Initiative: Transfers and reallocates 66 positions among various accounts within programs administered by the Maine Center for Disease Control and Prevention to place them in the proper functional location. Position detail is on file in the Bureau of the Budget.

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$34,425)	(\$34,878)
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>(\$34,425)</b>	<b>(\$34,878)</b>

**RISK REDUCTION 0489**

**PROGRAM SUMMARY**

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$0	\$0
All Other	\$0	\$0

FEDERAL BLOCK GRANT	\$0	\$0
FUND TOTAL		

**Riverview Psychiatric Center Z219**

Initiative: Transfers Personal Services by position from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$795,191	\$816,570
<b>GENERAL FUND TOTAL</b>	<b>\$795,191</b>	<b>\$816,570</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	354.500	354.500
POSITIONS - FTE COUNT	0.363	0.363
Personal Services	\$19,013,109	\$19,462,981
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$19,013,109</b>	<b>\$19,462,981</b>

**Riverview Psychiatric Center Z219**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
All Other	\$6,932,005	\$6,932,005
<b>GENERAL FUND TOTAL</b>	<b>\$6,932,005</b>	<b>\$6,932,005</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$1,152,509	\$1,152,509
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,152,509</b>	<b>\$1,152,509</b>

**RIVERVIEW PSYCHIATRIC CENTER Z219**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$795,191	\$816,570
All Other	\$6,932,005	\$6,932,005
<b>GENERAL FUND TOTAL</b>	<b>\$7,727,196</b>	<b>\$7,748,575</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	354.500	354.500
POSITIONS - FTE COUNT	0.363	0.363
Personal Services	\$19,013,109	\$19,462,981
All Other	\$1,152,509	\$1,152,509
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$20,165,618</b>	<b>\$20,615,490</b>

**Sexually Transmitted Diseases 0496**

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$500	\$500
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Sexually Transmitted Diseases 0496**

Initiative: Reduces allocation to align with available resources.

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	(\$500)	(\$500)
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>(\$500)</b>	<b>(\$500)</b>

**SEXUALLY TRANSMITTED DISEASES 0496**

**PROGRAM SUMMARY**

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$0	\$0

FEDERAL BLOCK GRANT	\$0	\$0
FUND TOTAL		

**Special Children's Services 0204**

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$772,033	\$791,093
All Other	\$126,563	\$126,563
FEDERAL BLOCK GRANT FUND TOTAL	\$898,596	\$917,656

**Special Children's Services 0204**

Initiative: Transfers and reallocates 66 positions among various accounts within programs administered by the Maine Center for Disease Control and Prevention to place them in the proper functional location. Position detail is on file in the Bureau of the Budget.

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$60,520	\$60,866
FEDERAL BLOCK GRANT FUND TOTAL	\$60,520	\$60,866

**Special Children's Services 0204**

Initiative: Eliminates 189 positions from various programs within the Department of Health and Human Services and reduces funding for related All Other. Position detail is on file in the Bureau of the Budget.

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$159,643)	(\$167,221)
All Other	(\$17,930)	(\$18,183)
FEDERAL BLOCK GRANT FUND TOTAL	(\$177,573)	(\$185,404)

**SPECIAL CHILDREN'S SERVICES 0204 PROGRAM SUMMARY**

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$672,910	\$684,738
All Other	\$108,633	\$108,380
FEDERAL BLOCK GRANT FUND TOTAL	\$781,543	\$793,118

**State Supplement to Federal Supplemental Security Income 0131**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$6,882,011	\$6,882,011
GENERAL FUND TOTAL	\$6,882,011	\$6,882,011

**State Supplement to Federal Supplemental Security Income 0131**

Initiative: Reduces appropriation to align with projected expenditures.

GENERAL FUND	2017-18	2018-19
All Other	(\$250,000)	(\$250,000)
GENERAL FUND TOTAL	(\$250,000)	(\$250,000)

**STATE SUPPLEMENT TO FEDERAL SUPPLEMENTAL SECURITY INCOME 0131 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$6,632,011	\$6,632,011
GENERAL FUND TOTAL	\$6,632,011	\$6,632,011

**State-funded Foster Care/Adoption Assistance 0139**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$491,528	\$502,048
All Other	\$37,545,267	\$37,545,267
GENERAL FUND TOTAL	\$38,036,795	\$38,047,315

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$3,654,685	\$3,654,685
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$3,654,685</b>	<b>\$3,654,685</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$210,645	\$215,156
All Other	\$519,940	\$519,940
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$730,585</b>	<b>\$735,096</b>

**State-funded Foster Care/Adoption Assistance 0139**

Initiative: Reduces allocation to align with available resources.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$1,371,413)	(\$1,371,413)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$1,371,413)</b>	<b>(\$1,371,413)</b>

**State-funded Foster Care/Adoption Assistance 0139**

Initiative: Reduces allocation to align with available resources and eliminates inactive programs.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$524)	(\$524)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$524)</b>	<b>(\$524)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$524)	(\$524)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$524)</b>	<b>(\$524)</b>

**STATE-FUNDED FOSTER CARE/ADOPTION ASSISTANCE 0139 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	8.000	8.000

Personal Services	\$491,528	\$502,048
All Other	\$37,545,267	\$37,545,267
<b>GENERAL FUND TOTAL</b>	<b>\$38,036,795</b>	<b>\$38,047,315</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$2,282,748	\$2,282,748
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,282,748</b>	<b>\$2,282,748</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$210,645	\$215,156
All Other	\$519,416	\$519,416
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$730,061</b>	<b>\$734,572</b>

**Temporary Assistance for Needy Families 0138**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$22,163,821	\$22,163,821
<b>GENERAL FUND TOTAL</b>	<b>\$22,163,821</b>	<b>\$22,163,821</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$105,289,990	\$105,289,990
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$105,289,990</b>	<b>\$105,289,990</b>

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$53,574,703	\$53,574,703
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$53,574,703</b>	<b>\$53,574,703</b>

**Temporary Assistance for Needy Families 0138**

Initiative: Reduces allocation to align with available resources and eliminates inactive accounts.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$500)	(\$500)

OTHER SPECIAL	(\$500)	(\$500)
REVENUE FUNDS TOTAL		

**Temporary Assistance for Needy Families 0138**

Initiative: Adjusts allocation between the Temporary Assistance for Needy Families program and the Child Support program within the same fund to align activities with the appropriate program. Also reduces allocation in the Temporary Assistance for Needy Families program to align with existing resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$105,289,490)	(\$105,289,490)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$105,289,490)	(\$105,289,490)

**TEMPORARY ASSISTANCE FOR NEEDY FAMILIES 0138**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$22,163,821	\$22,163,821
GENERAL FUND TOTAL	\$22,163,821	\$22,163,821

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$53,574,703	\$53,574,703
FEDERAL BLOCK GRANT FUND TOTAL	\$53,574,703	\$53,574,703

**Traumatic Brain Injury Seed Z214**

Initiative: Transfers All Other funding from the Department of Health and Human Services - formerly BDS programs to equivalent programs established in the Department of Health and Human Services to consolidate the administrative components of the departments combined pursuant to Public Law 2003, chapter 689.

GENERAL FUND	2017-18	2018-19
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All Other	\$120,964	\$120,964
GENERAL FUND TOTAL	\$120,964	\$120,964

**TRAUMATIC BRAIN INJURY SEED Z214 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$120,964	\$120,964
GENERAL FUND TOTAL	\$120,964	\$120,964

**Tuberculosis Control Program 0497**

Initiative: BASELINE BUDGET

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$953	\$953
FEDERAL BLOCK GRANT FUND TOTAL	\$953	\$953

**Tuberculosis Control Program 0497**

Initiative: Reduces allocation to align with available resources.

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	(\$953)	(\$953)
FEDERAL BLOCK GRANT FUND TOTAL	(\$953)	(\$953)

**TUBERCULOSIS CONTROL PROGRAM 0497 PROGRAM SUMMARY**

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$0	\$0
FEDERAL BLOCK GRANT FUND TOTAL	\$0	\$0

**Universal Childhood Immunization Program Z121**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$12,427,340	\$12,427,340

OTHER SPECIAL	\$12,427,340	\$12,427,340
REVENUE FUNDS TOTAL		

OTHER SPECIAL	\$500	\$500
REVENUE FUNDS TOTAL		

**UNIVERSAL CHILDHOOD IMMUNIZATION PROGRAM Z121**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
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All Other	\$12,427,340	\$12,427,340
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,427,340	\$12,427,340
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**HISTORIC COMMERCIAL REHABILITATION FUND Z067**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
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All Other	\$500	\$500
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

DEPARTMENT TOTALS	2017-18	2018-19
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GENERAL FUND	\$1,175,132,290	\$1,179,744,913
FEDERAL EXPENDITURES FUND	\$2,061,280,966	\$2,066,174,043
FUND FOR A HEALTHY MAINE	\$52,352,805	\$52,347,924
OTHER SPECIAL REVENUE FUNDS	\$500,839,711	\$503,653,852
FEDERAL BLOCK GRANT FUND	\$161,451,863	\$161,610,021
FEDERAL EXPENDITURES FUND ARRA	\$1,505,768	\$1,505,768

DEPARTMENT TOTAL - ALL FUNDS	\$3,952,563,403	\$3,965,036,521
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**Sec. A-35. Appropriations and allocations.**

The following appropriations and allocations are made.

**HISTORIC PRESERVATION COMMISSION, MAINE**

**Historic Commercial Rehabilitation Fund Z067**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
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All Other	\$500	\$500
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**Historic Preservation Commission 0036**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$315,848	\$326,227
All Other	\$9,842	\$9,842

GENERAL FUND TOTAL	\$325,690	\$336,069
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$420,343	\$434,415
All Other	\$336,934	\$336,934

FEDERAL EXPENDITURES FUND TOTAL	\$757,277	\$771,349
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	4.000	4.000
POSITIONS - FTE COUNT	4.731	4.731
Personal Services	\$519,694	\$535,495
All Other	\$123,188	\$123,188

OTHER SPECIAL REVENUE FUNDS TOTAL	\$642,882	\$658,683
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**Historic Preservation Commission 0036**

Initiative: Provides funding in All Other to support 3 positions for travel, office supplies, insurance, general operations and rent.

GENERAL FUND	2017-18	2018-19
All Other	\$13,584	\$13,584
<b>GENERAL FUND TOTAL</b>	<b>\$13,584</b>	<b>\$13,584</b>

**Historic Preservation Commission 0036**

Initiative: Provides funding for increased costs for desktop support and data storage.

GENERAL FUND	2017-18	2018-19
All Other	\$3,097	\$3,087
<b>GENERAL FUND TOTAL</b>	<b>\$3,097</b>	<b>\$3,087</b>

**Historic Preservation Commission 0036**

Initiative: Provides funding for the approved reorganization of one Museum Technician III position to a Historic Preservation Technician position and 4 Historic Preservationist positions to Historic Preservationist Coordinator positions and reduces All Other in order to fund the reorganizations.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$16,460	\$19,728
All Other	(\$16,460)	(\$19,728)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$5,800	\$6,068
All Other	(\$5,800)	(\$6,068)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**HISTORIC PRESERVATION COMMISSION 0036**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$315,848	\$326,227
All Other	\$26,523	\$26,513

<b>GENERAL FUND TOTAL</b>	<b>\$342,371</b>	<b>\$352,740</b>
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$436,803	\$454,143
All Other	\$320,474	\$317,206

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$757,277</b>	<b>\$771,349</b>
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
POSITIONS - FTE COUNT	4.731	4.731
Personal Services	\$525,494	\$541,563
All Other	\$117,388	\$117,120

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$642,882</b>	<b>\$658,683</b>
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**Historic Preservation Revolving Fund Z109**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>
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**HISTORIC PRESERVATION REVOLVING FUND Z109**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>
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HISTORIC PRESERVATION COMMISSION, MAINE DEPARTMENT TOTALS	2017-18	2018-19
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GENERAL FUND	\$342,371	\$352,740
FEDERAL EXPENDITURES FUND	\$757,277	\$771,349
OTHER SPECIAL REVENUE FUNDS	\$643,882	\$659,683
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$1,743,530</b>	<b>\$1,783,772</b>

**Sec. A-36. Appropriations and allocations.**  
The following appropriations and allocations are made.

**HISTORICAL SOCIETY, MAINE**

**Historical Society 0037**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$44,864	\$44,864
<b>GENERAL FUND TOTAL</b>	<b>\$44,864</b>	<b>\$44,864</b>

**HISTORICAL SOCIETY 0037**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$44,864	\$44,864
<b>GENERAL FUND TOTAL</b>	<b>\$44,864</b>	<b>\$44,864</b>

**Sec. A-37. Appropriations and allocations.**  
The following appropriations and allocations are made.

**HOSPICE COUNCIL, MAINE**

**Maine Hospice Council 0663**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$63,506	\$63,506
<b>GENERAL FUND TOTAL</b>	<b>\$63,506</b>	<b>\$63,506</b>

**MAINE HOSPICE COUNCIL 0663**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$63,506	\$63,506
<b>GENERAL FUND TOTAL</b>	<b>\$63,506</b>	<b>\$63,506</b>

**Sec. A-38. Appropriations and allocations.**  
The following appropriations and allocations are made.

**HOUSING AUTHORITY, MAINE STATE**

**Home Modification Certification Program Z231**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$50,000	\$50,000
<b>GENERAL FUND TOTAL</b>	<b>\$50,000</b>	<b>\$50,000</b>

**HOME MODIFICATION CERTIFICATION PROGRAM Z231**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$50,000	\$50,000
<b>GENERAL FUND TOTAL</b>	<b>\$50,000</b>	<b>\$50,000</b>

**Housing Authority - State 0442**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$7,133,121	\$7,133,121
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$7,133,121</b>	<b>\$7,133,121</b>

**Housing Authority - State 0442**

Initiative: Provides funding to meet unique housing needs in the areas of homelessness, first-time home buyers, rental unit production for people with special needs and low income and repairs to substandard homes.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$5,786,227	\$6,535,549
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$5,786,227</b>	<b>\$6,535,549</b>

**HOUSING AUTHORITY - STATE 0442**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$12,919,348	\$13,668,670

OTHER SPECIAL	\$12,919,348	\$13,668,670
REVENUE FUNDS TOTAL		

**Low-income Home Energy Assistance - MSHA 0708**

Initiative: BASELINE BUDGET

OTHER SPECIAL	2017-18	2018-19
REVENUE FUNDS		

All Other	\$545	\$545
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OTHER SPECIAL	\$545	\$545
REVENUE FUNDS TOTAL		

**LOW-INCOME HOME ENERGY ASSISTANCE - MSHA 0708**

**PROGRAM SUMMARY**

OTHER SPECIAL	2017-18	2018-19
REVENUE FUNDS		

All Other	\$545	\$545
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OTHER SPECIAL	\$545	\$545
REVENUE FUNDS TOTAL		

**Maine Energy, Housing and Economic Recovery Program Z124**

Initiative: BASELINE BUDGET

OTHER SPECIAL	2017-18	2018-19
REVENUE FUNDS		

All Other	\$4,319,813	\$4,319,813
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OTHER SPECIAL	\$4,319,813	\$4,319,813
REVENUE FUNDS TOTAL		

**Maine Energy, Housing and Economic Recovery Program Z124**

Initiative: Reduces funding to bring debt service payments in accordance with the repayment schedule.

OTHER SPECIAL	2017-18	2018-19
REVENUE FUNDS		

All Other	(\$2,101)	(\$3,576)
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OTHER SPECIAL	(\$2,101)	(\$3,576)
REVENUE FUNDS TOTAL		

**MAINE ENERGY, HOUSING AND ECONOMIC RECOVERY PROGRAM Z124**

**PROGRAM SUMMARY**

OTHER SPECIAL	2017-18	2018-19
REVENUE FUNDS		
All Other	\$4,317,712	\$4,316,237

OTHER SPECIAL	\$4,317,712	\$4,316,237
REVENUE FUNDS TOTAL		

**Shelter Operating Subsidy 0661**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$2,500,000	\$2,500,000

GENERAL FUND TOTAL	\$2,500,000	\$2,500,000
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**SHELTER OPERATING SUBSIDY 0661**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$2,500,000	\$2,500,000

GENERAL FUND TOTAL	\$2,500,000	\$2,500,000
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**HOUSING AUTHORITY, MAINE STATE**

DEPARTMENT TOTALS	2017-18	2018-19
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GENERAL FUND	\$2,550,000	\$2,550,000
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OTHER SPECIAL	\$17,237,605	\$17,985,452
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REVENUE FUNDS		
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DEPARTMENT TOTAL - ALL FUNDS	\$19,787,605	\$20,535,452
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**Sec. A-39. Appropriations and allocations.**

The following appropriations and allocations are made.

**HUMAN RIGHTS COMMISSION, MAINE**

**Human Rights Commission - Regulation 0150**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNCIL	8,000	8,000

Personal Services	\$774,004	\$797,716
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All Other	\$23,936	\$23,936
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GENERAL FUND TOTAL	\$797,940	\$821,652
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5,000	5,000
Personal Services	\$322,788	\$335,045
All Other	\$53,709	\$53,674
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$376,497</b>	<b>\$388,719</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$23,388	\$23,388
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$23,388</b>	<b>\$23,388</b>

**Human Rights Commission - Regulation 0150**

Initiative: Provides funding to bring allocations in line with available resources.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$157,092	\$156,157
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$157,092</b>	<b>\$156,157</b>

**Human Rights Commission - Regulation 0150**

Initiative: Provides funding for an increase in the cost of mediation services.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$17,950	\$17,950
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$17,950</b>	<b>\$17,950</b>

**Human Rights Commission - Regulation 0150**

Initiative: Provides funding for the approved reclassification of one Public Service Coordinator I position to a Public Service Manager II position and for related All Other costs.

GENERAL FUND	2017-18	2018-19
Personal Services	\$4,381	\$4,748
<b>GENERAL FUND TOTAL</b>	<b>\$4,381</b>	<b>\$4,748</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$2,255	\$2,448
All Other	\$185	\$201
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,440</b>	<b>\$2,649</b>

**Human Rights Commission - Regulation 0150**

Initiative: Provides funding for the approved reorganization of one Office Associate II position, one Office Associate II - Supervisor position and one Paralegal Assistant position to 3 Secretary Associate Legal positions and for related All Other costs.

GENERAL FUND	2017-18	2018-19
Personal Services	\$15,874	\$16,423
<b>GENERAL FUND TOTAL</b>	<b>\$15,874</b>	<b>\$16,423</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$2,553	\$2,687
All Other	\$209	\$220
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,762</b>	<b>\$2,907</b>

**Human Rights Commission - Regulation 0150**

Initiative: Provides funding for the cost of rental space for monthly public hearings.

GENERAL FUND	2017-18	2018-19
All Other	\$3,000	\$3,000
<b>GENERAL FUND TOTAL</b>	<b>\$3,000</b>	<b>\$3,000</b>

**HUMAN RIGHTS COMMISSION - REGULATION 0150**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	8,000	8,000
Personal Services	\$794,259	\$818,887
All Other	\$26,936	\$26,936
<b>GENERAL FUND TOTAL</b>	<b>\$821,195</b>	<b>\$845,823</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	5,000	5,000
Personal Services	\$327,596	\$340,180
All Other	\$211,195	\$210,252
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$538,791</b>	<b>\$550,432</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$41,338	\$41,338
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$41,338</b>	<b>\$41,338</b>
<b>HUMAN RIGHTS COMMISSION, MAINE DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
GENERAL FUND	\$821,195	\$845,823
FEDERAL EXPENDITURES FUND	\$538,791	\$550,432
OTHER SPECIAL REVENUE FUNDS	\$41,338	\$41,338
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$1,401,324</b>	<b>\$1,437,593</b>

**Sec. A-40. Appropriations and allocations.**  
The following appropriations and allocations are made.

**HUMANITIES COUNCIL, MAINE  
Humanities Council 0942**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$53,357	\$53,357
<b>GENERAL FUND TOTAL</b>	<b>\$53,357</b>	<b>\$53,357</b>

**HUMANITIES COUNCIL 0942  
PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$53,357	\$53,357
<b>GENERAL FUND TOTAL</b>	<b>\$53,357</b>	<b>\$53,357</b>

**Sec. A-41. Appropriations and allocations.**  
The following appropriations and allocations are made.

**INDIAN TRIBAL-STATE COMMISSION, MAINE**

**Maine Indian Tribal-state Commission 0554**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$111,614	\$111,614
<b>GENERAL FUND TOTAL</b>	<b>\$111,614</b>	<b>\$111,614</b>

**MAINE INDIAN TRIBAL-STATE COMMISSION 0554**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$111,614	\$111,614
<b>GENERAL FUND TOTAL</b>	<b>\$111,614</b>	<b>\$111,614</b>

**Sec. A-42. Appropriations and allocations.**  
The following appropriations and allocations are made.

**INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

**Maine Commission on Indigent Legal Services Z112**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	11,500	11,500
Personal Services	\$806,606	\$832,565
All Other	\$15,567,725	\$15,567,725
<b>GENERAL FUND TOTAL</b>	<b>\$16,374,331</b>	<b>\$16,400,290</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$793,497	\$793,497

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$793,497</b>	<b>\$793,497</b>
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**Maine Commission on Indigent Legal Services Z112**

Initiative: Provides funding for travel and per diem payments for the 5 members of the Maine Commission on Indigent Legal Services.

GENERAL FUND	2017-18	2018-19
Personal Services	\$3,300	\$3,300
All Other	\$5,000	\$5,000
<b>GENERAL FUND TOTAL</b>	<b>\$8,300</b>	<b>\$8,300</b>

**Maine Commission on Indigent Legal Services Z112**

Initiative: Reduces funds by eliminating one Executive Director of Maine Indigent Legal Services position, one Public Service Manager II position, one Accountant Technician position, one Office Associate I position and 9 Financial Screener positions and related All Other costs as of June 30, 2018 and transfers the General Fund portion to the Reserve for Indigent Legal Services program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	(11.500)
Personal Services	\$0	(\$832,565)
All Other	\$0	(\$15,567,725)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$16,400,290)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$0	(\$793,497)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$793,497)</b>

**Maine Commission on Indigent Legal Services Z112**

Initiative: Provides one-time funds for indigent legal services costs incurred during fiscal year 2016-17.

GENERAL FUND	2017-18	2018-19
All Other	\$2,831,041	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$2,831,041</b>	<b>\$0</b>

**MAINE COMMISSION ON INDIGENT LEGAL SERVICES Z112**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	11.500	0.000
Personal Services	\$809,906	\$3,300
All Other	\$18,403,766	\$5,000

GENERAL FUND TOTAL	2017-18	2018-19
GENERAL FUND TOTAL	\$19,213,672	\$8,300
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$793,497	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$793,497</b>	<b>\$0</b>

**Reserve for Indigent Legal Services N262**

Initiative: Allocates funds for indigent legal services. These funds may not be transferred without legislative approval.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Unallocated	\$0	\$16,400,290
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$16,400,290</b>

**RESERVE FOR INDIGENT LEGAL SERVICES N262**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Unallocated	\$0	\$16,400,290
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$16,400,290</b>

**INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$19,213,672	\$8,300
OTHER SPECIAL REVENUE FUNDS	\$793,497	\$16,400,290

<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$20,007,169</b>	<b>\$16,408,590</b>
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**Sec. A-43. Appropriations and allocations.**  
The following appropriations and allocations are made.

**INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**

**Administrative Services - Inland Fisheries and Wildlife 0530**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$294,567	\$303,470
All Other	\$805,822	\$805,822
<b>GENERAL FUND TOTAL</b>	<b>\$1,100,389</b>	<b>\$1,109,292</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$11,659	\$11,659
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$11,659</b>	<b>\$11,659</b>

**Administrative Services - Inland Fisheries and Wildlife 0530**

Initiative: Transfers funding for All Other costs related to the Division of Engineering from the Administrative Services - Inland Fisheries and Wildlife program to the Office of the Commissioner - Inland Fisheries and Wildlife program.

GENERAL FUND	2017-18	2018-19
All Other	(\$503,822)	(\$503,822)
<b>GENERAL FUND TOTAL</b>	<b>(\$503,822)</b>	<b>(\$503,822)</b>

**ADMINISTRATIVE SERVICES - INLAND FISHERIES AND WILDLIFE 0530**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$294,567	\$303,470
All Other	\$302,000	\$302,000
<b>GENERAL FUND TOTAL</b>	<b>\$596,567</b>	<b>\$605,470</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$11,659	\$11,659
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$11,659</b>	<b>\$11,659</b>

**ATV Safety and Educational Program 0559**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$23,170	\$23,170
<b>GENERAL FUND TOTAL</b>	<b>\$23,170</b>	<b>\$23,170</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$145,188	\$145,188
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$145,188</b>	<b>\$145,188</b>

**ATV SAFETY AND EDUCATIONAL PROGRAM 0559**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$23,170	\$23,170
<b>GENERAL FUND TOTAL</b>	<b>\$23,170</b>	<b>\$23,170</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$145,188	\$145,188
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$145,188</b>	<b>\$145,188</b>

**Boating Access Sites 0631**

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$43,616	\$43,616
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$43,616</b>	<b>\$43,616</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$58,081	\$58,677
All Other	\$122,233	\$122,233
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$180,314</b>	<b>\$180,910</b>

**Boating Access Sites 0631**

Initiative: Provides funding to purchase and improve land for boat launch facilities throughout the State.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Capital Expenditures	\$575,000	\$575,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$575,000</b>	<b>\$575,000</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Capital Expenditures	\$175,000	\$175,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$175,000</b>	<b>\$175,000</b>

**Boating Access Sites 0631**

Initiative: Provides funding for improvements and maintenance activities at publicly owned boat launch facilities on inland waters.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Capital Expenditures	\$90,000	\$90,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$90,000</b>	<b>\$90,000</b>

**BOATING ACCESS SITES 0631**

**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$43,616	\$43,616
Capital Expenditures	\$575,000	\$575,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$618,616</b>	<b>\$618,616</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$58,081	\$58,677
All Other	\$122,233	\$122,233
Capital Expenditures	\$265,000	\$265,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$445,314</b>	<b>\$445,910</b>

**Camp North Woods Fund Z193**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Camp North Woods Fund Z193**

Initiative: Provides funding for operating costs in the Camp North Woods program.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$24,500	\$24,500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$24,500</b>	<b>\$24,500</b>

**CAMP NORTH WOODS FUND Z193**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$25,000	\$25,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$25,000</b>	<b>\$25,000</b>

**Endangered Nongame Operations 0536**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$21,516	\$22,513
All Other	\$4,731	\$4,731
<b>GENERAL FUND TOTAL</b>	<b>\$26,247</b>	<b>\$27,244</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$381,970	\$393,227
All Other	\$622,534	\$622,534
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,004,504</b>	<b>\$1,015,761</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$270,486	\$276,337
All Other	\$128,077	\$128,077
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$398,563</b>	<b>\$404,414</b>

All Other	\$622,534	\$622,534
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,004,504</b>	<b>\$1,015,761</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$271,867	\$278,741
All Other	\$128,138	\$128,138
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$400,005</b>	<b>\$406,879</b>

**Endangered Nongame Operations 0536**

Initiative: Reorganizes 2 Public Service Manager II positions from range 30 to range 32, one Biologist I position to a Biologist II position, one Office Specialist I Manager Supervisor position to a Planning and Research Associate II position, one Programmer Analyst position to a Business Systems Administrator position and one Office Associate I position to an Office Associate II position, all allocated between the General Fund and Federal Expenditures Fund in the Fisheries and Hatcheries Operations program, the General Fund and Federal Expenditures Fund in the Resource Management Services - Inland Fisheries and Wildlife program and the Other Special Revenue Funds in the Endangered Nongame Operations program. Eliminates one Management Analyst II position funded in the General Fund and Federal Expenditures Fund of the Resource Management Services - Inland Fisheries and Wildlife program. Also adjusts All Other funding for the reorganization and contractual work.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$1,381	\$2,404
All Other	\$61	\$61
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,442</b>	<b>\$2,465</b>

**Enforcement Operations - Inland Fisheries and Wildlife 0537**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	126.000	126.000
POSITIONS - FTE COUNT	0.500	0.500
Personal Services	\$13,171,935	\$13,386,290
All Other	\$2,633,208	\$2,633,208
<b>GENERAL FUND TOTAL</b>	<b>\$15,805,143</b>	<b>\$16,019,498</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - FTE COUNT	1.540	1.540
Personal Services	\$846,099	\$862,275
All Other	\$583,227	\$583,227
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,429,326</b>	<b>\$1,445,502</b>

**ENDANGERED NONGAME OPERATIONS 0536 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$21,516	\$22,513
All Other	\$4,731	\$4,731
<b>GENERAL FUND TOTAL</b>	<b>\$26,247</b>	<b>\$27,244</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$197,234	\$202,142
All Other	\$281,847	\$281,847
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$479,081</b>	<b>\$483,989</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$381,970	\$393,227

**Enforcement Operations - Inland Fisheries and Wildlife 0537**

Initiative: Transfers one seasonal Deputy Game Warden position from Enforcement Operations - Inland Fisheries and Wildlife program, Federal Expenditures Fund to the Whitewater Rafting - Inland Fisheries and Wildlife program, Other Special Revenue Funds.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - FTE COUNT	(0.308)	(0.308)
Personal Services	(\$18,083)	(\$18,866)
All Other	(\$178)	(\$186)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$18,261)</b>	<b>(\$19,052)</b>

**Enforcement Operations - Inland Fisheries and Wildlife 0537**

Initiative: Provides funding for increased fees from the Department of Public Safety for dispatch services.

GENERAL FUND	2017-18	2018-19
All Other	\$186,587	\$213,095
<b>GENERAL FUND TOTAL</b>	<b>\$186,587</b>	<b>\$213,095</b>

**Enforcement Operations - Inland Fisheries and Wildlife 0537**

Initiative: Provides funding for the approved reorganization of one Secretary Associate position to an Office Specialist II position and reduces All Other to fund the reorganization.

GENERAL FUND	2017-18	2018-19
Personal Services	\$6,293	\$9,328
All Other	(\$6,293)	(\$9,328)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Enforcement Operations - Inland Fisheries and Wildlife 0537**

Initiative: Eliminates one Game Warden Investigator position and reduces related All Other costs.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$122,319)	(\$123,167)
All Other	(\$15,000)	(\$15,000)
<b>GENERAL FUND TOTAL</b>	<b>(\$137,319)</b>	<b>(\$138,167)</b>

**Enforcement Operations - Inland Fisheries and Wildlife 0537**

Initiative: Reduces funding by decreasing Maine Warden Service mileage by 327,000 miles in each fiscal year.

GENERAL FUND	2017-18	2018-19
All Other	(\$69,000)	(\$69,000)
<b>GENERAL FUND TOTAL</b>	<b>(\$69,000)</b>	<b>(\$69,000)</b>

**ENFORCEMENT OPERATIONS - INLAND FISHERIES AND WILDLIFE 0537**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	125.000	125.000
POSITIONS - FTE COUNT	0.500	0.500
Personal Services	\$13,055,909	\$13,272,451
All Other	\$2,729,502	\$2,752,975
<b>GENERAL FUND TOTAL</b>	<b>\$15,785,411</b>	<b>\$16,025,426</b>

**FEDERAL EXPENDITURES FUND**

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - FTE COUNT	1.232	1.232
Personal Services	\$828,016	\$843,409
All Other	\$583,049	\$583,041
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,411,065</b>	<b>\$1,426,450</b>

**OTHER SPECIAL REVENUE FUNDS**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$197,234	\$202,142
All Other	\$281,847	\$281,847
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$479,081</b>	<b>\$483,989</b>

**Fisheries and Hatcheries Operations 0535**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	59.000	59.000

POSITIONS - FTE	0.577	0.577
COUNT		
Personal Services	\$3,108,463	\$3,178,660
All Other	\$1,145,383	\$1,145,383

GENERAL FUND TOTAL	\$4,253,846	\$4,324,043
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**FEDERAL EXPENDITURES FUND**

POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$1,993,983	\$2,037,833
All Other	\$1,049,318	\$1,049,318

FEDERAL EXPENDITURES FUND TOTAL	\$3,043,301	\$3,087,151
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**OTHER SPECIAL REVENUE FUNDS**

Personal Services	\$47,920	\$50,281
All Other	\$157,054	\$157,054

OTHER SPECIAL REVENUE FUNDS TOTAL	\$204,974	\$207,335
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**Fisheries and Hatcheries Operations 0535**

Initiative: Transfers one-time funding from All Other to Capital Expenditures for the replacement of 2 one-ton fish stocking trucks, 2 2-ton fish stocking trucks, 2 fish stocking truck beds and 2 sets of fish stocking tanks.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$125,000)	(\$125,000)
Capital Expenditures	\$125,000	\$125,000

GENERAL FUND TOTAL	\$0	\$0
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**Fisheries and Hatcheries Operations 0535**

Initiative: Reorganizes 2 Public Service Manager II positions from range 30 to range 32, one Biologist I position to a Biologist II position, one Office Specialist I Manager Supervisor position to a Planning and Research Associate II position, one Programmer Analyst position to a Business Systems Administrator position and one Office Associate I position to an Office Associate II position, all allocated between the General Fund and Federal Expenditures Fund in the Fisheries and Hatcheries Operations program, the General Fund and Federal Expenditures Fund in the Resource Management Services - Inland Fisheries and Wildlife

program and the Other Special Revenue Funds in the Endangered Nongame Operations program. Eliminates one Management Analyst II position funded in the General Fund and Federal Expenditures Fund of the Resource Management Services - Inland Fisheries and Wildlife program. Also adjusts All Other funding for the reorganization and contractual work.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$6,790	\$7,961
All Other	(\$6,790)	(\$7,961)

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

Personal Services	\$14,046	\$15,554
All Other	\$313	\$325

FEDERAL EXPENDITURES FUND TOTAL	\$14,359	\$15,879
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**Fisheries and Hatcheries Operations 0535**

Initiative: Reallocates the cost of one Biologist III position from 50% General Fund and 50% Other Special Revenue Funds to 80% General Fund and 20% Other Special Revenue Funds within the same program and reduces All Other to fund the reallocation.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$28,752	\$30,167
All Other	(\$28,752)	(\$30,167)

GENERAL FUND TOTAL	\$0	\$0
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**OTHER SPECIAL REVENUE FUNDS**

Personal Services	(\$28,752)	(\$30,167)
All Other	(\$503)	(\$528)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$29,255)	(\$30,695)
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**Fisheries and Hatcheries Operations 0535**

Initiative: Provides funding for the replacement of 7 snowmobiles, one boat motor and one all-terrain vehicle in fiscal year 2017-18.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Capital Expenditures	\$9,350	\$0

GENERAL FUND TOTAL	\$9,350	\$0
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
Capital Expenditures	\$28,050	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$28,050</b>	<b>\$0</b>

**Fisheries and Hatcheries Operations 0535**

Initiative: Transfers a portion of All Other funding from the General Fund in the Fisheries and Hatcheries Operations program to Other Special Revenue Funds in the Office of the Commissioner - Inland Fisheries and Wildlife program.

GENERAL FUND	2017-18	2018-19
All Other	(\$189,664)	(\$189,664)
<b>GENERAL FUND TOTAL</b>	<b>(\$189,664)</b>	<b>(\$189,664)</b>

**FISHERIES AND HATCHERIES OPERATIONS 0535**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	59.000	59.000
POSITIONS - FTE COUNT	0.577	0.577
Personal Services	\$3,144,005	\$3,216,788
All Other	\$795,177	\$792,591
Capital Expenditures	\$134,350	\$125,000
<b>GENERAL FUND TOTAL</b>	<b>\$4,073,532</b>	<b>\$4,134,379</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$2,008,029	\$2,053,387
All Other	\$1,049,631	\$1,049,643
Capital Expenditures	\$28,050	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$3,085,710</b>	<b>\$3,103,030</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$19,168	\$20,114
All Other	\$156,551	\$156,526

OTHER SPECIAL REVENUE FUNDS TOTAL	\$175,719	\$176,640
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**Landowner Relations Fund Z140**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$4,185	\$4,195
All Other	\$62,262	\$62,262

OTHER SPECIAL REVENUE FUNDS TOTAL	\$66,447	\$66,457
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**Landowner Relations Fund Z140**

Initiative: Provides funding for operating costs for the Landowner Relations Fund.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$40,395	\$40,395

OTHER SPECIAL REVENUE FUNDS TOTAL	\$40,395	\$40,395
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**LANDOWNER RELATIONS FUND Z140**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$4,185	\$4,195
All Other	\$102,657	\$102,657

OTHER SPECIAL REVENUE FUNDS TOTAL	\$106,842	\$106,852
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**Licensing Services - Inland Fisheries and Wildlife 0531**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$1,086,097	\$1,111,402
All Other	\$501,704	\$501,704

GENERAL FUND TOTAL	\$1,587,801	\$1,613,106
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
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All Other	\$76,328	\$76,328
<b>FEDERAL EXPENDITURES</b>	<b>\$76,328</b>	<b>\$76,328</b>
<b>FUND TOTAL</b>		

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$371,248	\$371,248
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$371,248</b>	<b>\$371,248</b>

**Licensing Services - Inland Fisheries and Wildlife 0531**

Initiative: Provides one-time funding for the purchase of replacement ballistic vests for the Maine Warden Service.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$72,000	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$72,000</b>	<b>\$0</b>

**Licensing Services - Inland Fisheries and Wildlife 0531**

Initiative: Transfers and reallocates one Inland Fisheries and Wildlife - Education Coordinator position from 100% Division of Public Information and Education program, General Fund to 70% Licensing Services - Inland Fisheries and Wildlife program, Other Special Revenue Funds and 30% Division of Public Information and Education program, Other Special Revenue Funds.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$67,465	\$67,903
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$67,465</b>	<b>\$67,903</b>

**Licensing Services - Inland Fisheries and Wildlife 0531**

Initiative: Eliminates one vacant Office Associate II position and transfers funding to All Other to fund the ongoing operations of the program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$64,187)	(\$64,762)
All Other	\$64,187	\$64,762

<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>
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**Licensing Services - Inland Fisheries and Wildlife 0531**

Initiative: Transfers one Office Associate II position from the General Fund to Other Special Revenue Funds within the same program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$54,712)	(\$57,501)
<b>GENERAL FUND TOTAL</b>	<b>(\$54,712)</b>	<b>(\$57,501)</b>

**OTHER SPECIAL REVENUE FUNDS**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$54,712	\$57,501
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$54,712</b>	<b>\$57,501</b>

**LICENSING SERVICES - INLAND FISHERIES AND WILDLIFE 0531**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	14,000	14,000
Personal Services	\$967,198	\$989,139
All Other	\$565,891	\$566,466
<b>GENERAL FUND TOTAL</b>	<b>\$1,533,089</b>	<b>\$1,555,605</b>

**FEDERAL EXPENDITURES FUND**

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$76,328	\$76,328
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$76,328</b>	<b>\$76,328</b>

**OTHER SPECIAL REVENUE FUNDS**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$122,177	\$125,404
All Other	\$443,248	\$371,248
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$565,425</b>	<b>\$496,652</b>

**Maine Outdoor Heritage Fund 0829**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$1,500	\$1,500
All Other	\$1,141,926	\$1,141,926
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,143,426</b>	<b>\$1,143,426</b>

**Maine Outdoor Heritage Fund 0829**

Initiative: Reduces funding to bring allocation in line with available resources.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$345,020)	(\$345,020)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$345,020)</b>	<b>(\$345,020)</b>

**MAINE OUTDOOR HERITAGE FUND 0829**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$1,500	\$1,500
All Other	\$796,906	\$796,906
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$798,406</b>	<b>\$798,406</b>

**Office of the Commissioner - Inland Fisheries and Wildlife 0529**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$415,396	\$422,175
All Other	\$1,776,548	\$1,776,548

GENERAL FUND TOTAL	\$2,191,944	\$2,198,723
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$345,744	\$360,971
All Other	\$748,418	\$748,418
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,094,162</b>	<b>\$1,109,389</b>

**Office of the Commissioner - Inland Fisheries and Wildlife 0529**

Initiative: Provides funding for the same level of application and end user support provided by the Department of Administrative and Financial Services, Office of Information Technology.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$185,600	\$290,286
<b>GENERAL FUND TOTAL</b>	<b>\$185,600</b>	<b>\$290,286</b>

**Office of the Commissioner - Inland Fisheries and Wildlife 0529**

Initiative: Transfers funding for All Other costs related to the Division of Engineering from the Administrative Services - Inland Fisheries and Wildlife program to the Office of the Commissioner - Inland Fisheries and Wildlife program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$503,822	\$503,822
<b>GENERAL FUND TOTAL</b>	<b>\$503,822</b>	<b>\$503,822</b>

**Office of the Commissioner - Inland Fisheries and Wildlife 0529**

Initiative: Reduces funding by changing the distribution methods of hunting, fishing, trapping, and recreational vehicle laws and rules.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$120,000)	(\$120,000)
<b>GENERAL FUND TOTAL</b>	<b>(\$120,000)</b>	<b>(\$120,000)</b>

**Office of the Commissioner - Inland Fisheries and Wildlife 0529**

Initiative: Transfers a portion of All Other funding from the General Fund in the Resource Management

Services - Inland Fisheries and Wildlife program to Other Special Revenue Funds in the Office of the Commissioner - Inland Fisheries and Wildlife program.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$198,991	\$198,991
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$198,991	\$198,991

**Office of the Commissioner - Inland Fisheries and Wildlife 0529**

Initiative: Transfers a portion of All Other funding from the General Fund in the Fisheries and Hatcheries Operations program to Other Special Revenue Funds in the Office of the Commissioner - Inland Fisheries and Wildlife program.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$189,664	\$189,664
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$189,664	\$189,664

**Office of the Commissioner - Inland Fisheries and Wildlife 0529**

Initiative: Provides funding for the approved reorganization of one Inventory and Property Associate II Supervisor position to an Inventory and Property Specialist position.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$13,641	\$13,717
All Other	\$597	\$601
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,238	\$14,318

**OFFICE OF THE COMMISSIONER - INLAND FISHERIES AND WILDLIFE 0529**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$415,396	\$422,175
All Other	\$2,345,970	\$2,450,656
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$2,761,366	\$2,872,831

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$359,385	\$374,688
All Other	\$1,137,670	\$1,137,674
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,497,055	\$1,512,362

**Public Information and Education, Division of 0729**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$510,963	\$524,508
All Other	\$257,441	\$257,441
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$768,404	\$781,949

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$276,173	\$282,919
All Other	\$568,083	\$568,083
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$844,256	\$851,002

**Public Information and Education, Division of 0729**

Initiative: Provides funding for operating costs for the Maine Wildlife Park.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$60,000	\$60,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$60,000	\$60,000

**Public Information and Education, Division of 0729**

Initiative: Transfers funding for All Other costs from the Division of Public Information and Education program to the Resource Management Services - Inland Fisheries and Wildlife program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$23,000)	(\$23,000)

GENERAL FUND TOTAL	(\$23,000)	(\$23,000)
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**Public Information and Education, Division of 0729**

Initiative: Transfers and reallocates one Inland Fisheries and Wildlife - Education Coordinator position from 100% Division of Public Information and Education program, General Fund to 70% Licensing Services - Inland Fisheries and Wildlife program, Other Special Revenue Funds and 30% Division of Public Information and Education program, Other Special Revenue Funds.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$96,377)	(\$97,002)
<b>GENERAL FUND TOTAL</b>	<b>(\$96,377)</b>	<b>(\$97,002)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$28,912	\$29,099
All Other	\$649	\$653

OTHER SPECIAL REVENUE FUNDS TOTAL	\$29,561	\$29,752
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**PUBLIC INFORMATION AND EDUCATION, DIVISION OF 0729 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	6,000	6,000
Personal Services	\$414,586	\$427,506
All Other	\$234,441	\$234,441
<b>GENERAL FUND TOTAL</b>	<b>\$649,027</b>	<b>\$661,947</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$305,085	\$312,018
All Other	\$628,732	\$628,736

OTHER SPECIAL REVENUE FUNDS TOTAL	\$933,817	\$940,754
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**Resource Management Services - Inland Fisheries and Wildlife 0534**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	11,000	11,000
Personal Services	\$1,466,213	\$1,497,038
All Other	\$378,904	\$378,904
<b>GENERAL FUND TOTAL</b>	<b>\$1,845,117</b>	<b>\$1,875,942</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	36,000	36,000
POSITIONS - FTE COUNT	5,000	5,000
Personal Services	\$2,970,990	\$3,023,788
All Other	\$2,258,799	\$2,258,799

FEDERAL EXPENDITURES FUND TOTAL	\$5,229,789	\$5,282,587
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$281,726	\$286,303
All Other	\$557,138	\$557,138

OTHER SPECIAL REVENUE FUNDS TOTAL	\$838,864	\$843,441
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**Resource Management Services - Inland Fisheries and Wildlife 0534**

Initiative: Provides funding for operating costs for the Species Management Education Fund.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$192,628	\$192,628

OTHER SPECIAL REVENUE FUNDS TOTAL	\$192,628	\$192,628
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**Resource Management Services - Inland Fisheries and Wildlife 0534**

Initiative: Transfers funding for All Other costs from the Division of Public Information and Education program to the Resource Management Services - Inland Fisheries and Wildlife program.

GENERAL FUND	2017-18	2018-19
All Other	\$23,000	\$23,000
<b>GENERAL FUND TOTAL</b>	<b>\$23,000</b>	<b>\$23,000</b>

**Resource Management Services - Inland Fisheries and Wildlife 0534**

Initiative: Reorganizes 2 Public Service Manager II positions from range 30 to range 32, one Biologist I position to a Biologist II position, one Office Specialist I Manager Supervisor position to a Planning and Research Associate II position, one Programmer Analyst position to a Business Systems Administrator position and one Office Associate I position to an Office Associate II position, all allocated between the General Fund and Federal Expenditures Fund in the Fisheries and Hatcheries Operations program, the General Fund and Federal Expenditures Fund in the Resource Management Services - Inland Fisheries and Wildlife program and the Other Special Revenue Funds in the Endangered Nongame Operations program. Eliminates one Management Analyst II position funded in the General Fund and Federal Expenditures Fund of the Resource Management Services - Inland Fisheries and Wildlife program. Also adjusts All Other funding for the reorganization and contractual work.

GENERAL FUND	2017-18	2018-19
Personal Services	(\$21,169)	(\$21,204)
All Other	\$21,169	\$21,204
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$47,466)	(\$44,440)
All Other	(\$672)	(\$674)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$48,138)</b>	<b>(\$45,114)</b>

**Resource Management Services - Inland Fisheries and Wildlife 0534**

Initiative: Provides funding for the replacement of 7 snowmobiles, one boat motor and one all-terrain vehicle in fiscal year 2017-18.

GENERAL FUND	2017-18	2018-19
Capital Expenditures	\$12,000	\$10,000
<b>GENERAL FUND TOTAL</b>	<b>\$12,000</b>	<b>\$10,000</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Capital Expenditures	\$12,000	\$6,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$12,000</b>	<b>\$6,000</b>

**Resource Management Services - Inland Fisheries and Wildlife 0534**

Initiative: Transfers a portion of All Other funding from the General Fund in the Resource Management Services - Inland Fisheries and Wildlife program to Other Special Revenue Funds in the Office of the Commissioner - Inland Fisheries and Wildlife program.

GENERAL FUND	2017-18	2018-19
All Other	(\$198,991)	(\$198,991)
<b>GENERAL FUND TOTAL</b>	<b>(\$198,991)</b>	<b>(\$198,991)</b>

**RESOURCE MANAGEMENT SERVICES - INLAND FISHERIES AND WILDLIFE 0534**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	11,000	11,000
Personal Services	\$1,445,044	\$1,475,834
All Other	\$224,082	\$224,117
Capital Expenditures	\$12,000	\$10,000
<b>GENERAL FUND TOTAL</b>	<b>\$1,681,126</b>	<b>\$1,709,951</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	35,000	35,000
POSITIONS - FTE COUNT	5,000	5,000
Personal Services	\$2,923,524	\$2,979,348
All Other	\$2,258,127	\$2,258,125
Capital Expenditures	\$12,000	\$6,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$5,193,651</b>	<b>\$5,243,473</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3,000	3,000

Personal Services	\$281,726	\$286,303
All Other	\$749,766	\$749,766
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,031,492</b>	<b>\$1,036,069</b>

**Search and Rescue 0538**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$360,148	\$362,598
All Other	\$120,220	\$120,220
<b>GENERAL FUND TOTAL</b>	<b>\$480,368</b>	<b>\$482,818</b>

**SEARCH AND RESCUE 0538**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$360,148	\$362,598
All Other	\$120,220	\$120,220
<b>GENERAL FUND TOTAL</b>	<b>\$480,368</b>	<b>\$482,818</b>

**Waterfowl Habitat Acquisition and Management 0561**

Initiative: BASELINE BUDGET

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,525,000	\$1,525,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,525,000</b>	<b>\$1,525,000</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$83,085	\$83,085
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$83,085</b>	<b>\$83,085</b>

**Waterfowl Habitat Acquisition and Management 0561**

Initiative: Provides funding to purchase land for wild-life habitat.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Capital Expenditures	\$1,800,000	\$1,800,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,800,000</b>	<b>\$1,800,000</b>

**WATERFOWL HABITAT ACQUISITION AND MANAGEMENT 0561**

**PROGRAM SUMMARY**

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,525,000	\$1,525,000
Capital Expenditures	\$1,800,000	\$1,800,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$3,325,000</b>	<b>\$3,325,000</b>

**OTHER SPECIAL REVENUE FUNDS**

All Other	\$83,085	\$83,085
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$83,085</b>	<b>\$83,085</b>

**Whitewater Rafting - Inland Fisheries and Wildlife 0539**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	0.308	0.308
Personal Services	\$127,453	\$129,233
All Other	\$43,508	\$43,508
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$170,961</b>	<b>\$172,741</b>

**Whitewater Rafting - Inland Fisheries and Wildlife 0539**

Initiative: Transfers one seasonal Deputy Game Warden position from Enforcement Operations - Inland Fisheries and Wildlife program, Federal Expenditures Fund to the Whitewater Rafting - Inland Fisheries and Wildlife program, Other Special Revenue Funds.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - FTE	0.308	0.308	<b>FEDERAL</b>	<b>\$14,714,874</b>	<b>\$14,808,658</b>
COUNT			<b>EXPENDITURES FUND</b>		
Personal Services	\$18,083	\$18,866	<b>OTHER SPECIAL</b>	<b>\$6,905,714</b>	<b>\$6,879,642</b>
All Other	\$178	\$186	<b>REVENUE FUNDS</b>		
<hr/>					
OTHER SPECIAL	\$18,261	\$19,052	<b>DEPARTMENT TOTAL -</b>	<b>\$49,230,491</b>	<b>\$49,787,141</b>
REVENUE FUNDS TOTAL			<b>ALL FUNDS</b>		

**WHITEWATER RAFTING - INLAND FISHERIES AND WILDLIFE 0539**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL</b>	<b>2017-18</b>	<b>2018-19</b>
<b>REVENUE FUNDS</b>		
POSITIONS -	1.000	1.000
LEGISLATIVE COUNT		
POSITIONS - FTE	0.616	0.616
COUNT		
Personal Services	\$145,536	\$148,099
All Other	\$43,686	\$43,694
<hr/>		
OTHER SPECIAL	\$189,222	\$191,793
REVENUE FUNDS TOTAL		

**Whitewater Rafting Fund 0533**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL</b>	<b>2017-18</b>	<b>2018-19</b>
<b>REVENUE FUNDS</b>		
All Other	\$18,404	\$18,404
<hr/>		
OTHER SPECIAL	\$18,404	\$18,404
REVENUE FUNDS TOTAL		

**WHITEWATER RAFTING FUND 0533**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL</b>	<b>2017-18</b>	<b>2018-19</b>
<b>REVENUE FUNDS</b>		
All Other	\$18,404	\$18,404
<hr/>		
OTHER SPECIAL	\$18,404	\$18,404
REVENUE FUNDS TOTAL		

**INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF**

<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	<b>\$27,609,903</b>	<b>\$28,098,841</b>

**Sec. A-44. Appropriations and allocations.**  
The following appropriations and allocations are made.

**JUDICIAL DEPARTMENT**

**Courts - Supreme, Superior and District 0063**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS -	518.500	518.500
LEGISLATIVE COUNT		
Personal Services	\$44,181,637	\$45,408,792
All Other	\$17,779,415	\$17,779,415
<hr/>		
GENERAL FUND TOTAL	\$61,961,052	\$63,188,207

<b>FEDERAL EXPENDITURES</b>	<b>2017-18</b>	<b>2018-19</b>
<b>FUND</b>		
POSITIONS -	1.500	1.500
LEGISLATIVE COUNT		
Personal Services	\$1,989,055	\$2,050,880
All Other	\$1,088,789	\$1,088,789
<hr/>		
FEDERAL EXPENDITURES	\$3,077,844	\$3,139,669
FUND TOTAL		

<b>OTHER SPECIAL</b>	<b>2017-18</b>	<b>2018-19</b>
<b>REVENUE FUNDS</b>		
POSITIONS -	7.000	7.000
LEGISLATIVE COUNT		
Personal Services	\$528,721	\$548,631
All Other	\$3,241,601	\$3,241,601
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OTHER SPECIAL	\$3,770,322	\$3,790,232
REVENUE FUNDS TOTAL		

**Courts - Supreme, Superior and District 0063**

Initiative: Continues one limited-period Legal Publications Specialist position through June 8, 2019. This position was previously authorized in Public Law 2015, chapter 267.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$98,315	\$103,366
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$98,315	\$103,366

**Courts - Supreme, Superior and District 0063**

Initiative: Continues one limited-period Service Center/Violations Bureau Assistant Clerk position through June 8, 2019. This position was previously authorized by Financial Order JJ1701 F7.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$61,849	\$65,105
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$61,849	\$65,105

**Courts - Supreme, Superior and District 0063**

Initiative: Continues 2 limited-period Service Center/Violations Bureau Assistant Clerk positions through June 8, 2019. These positions were previously authorized by Financial Order JJ1702 F7.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$123,698	\$130,210
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$123,698	\$130,210

**Courts - Supreme, Superior and District 0063**

Initiative: Establishes 3 Court Operations Specialist positions, one Technology Business Analyst position, one Senior Database Administrator position, one Programmer Analyst II position, one Quality Assurance Test Lead position and 2 Field Technician positions and provides funding for an increase in All Other.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	9,000	9,000
Personal Services	\$897,715	\$943,680
All Other	\$42,500	\$22,500
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$940,215	\$966,180

**Courts - Supreme, Superior and District 0063**

Initiative: Provides funding for maintenance fees for the courts case management system.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$184,500	\$625,860
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$184,500	\$625,860

**Courts - Supreme, Superior and District 0063**

Initiative: Provides funding for increases in contracted court security.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$23,647	\$48,003
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$23,647	\$48,003

**Courts - Supreme, Superior and District 0063**

Initiative: Provides funding for the increase in active retired judges' per diem rate from \$300 per day to \$350 per day and from \$175 to \$200 for a half day.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$34,500	\$34,500
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$34,500	\$34,500

**Courts - Supreme, Superior and District 0063**

Initiative: Provides funding for increases in operating costs to operate 38 facilities across the State.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$88,655	\$181,579
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$88,655	\$181,579

**Courts - Supreme, Superior and District 0063**

Initiative: Continues one limited-period Facility Engineer position through June 8, 2019, previously established by Financial Order JJ1704 F7. This initiative also transfers the position from the General Fund to Other Special Revenue Funds within the same program. This position will be funded from reimbursement from the Department of Health and Human Services' cooperative agreement for child support and recovery services.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$98,315	\$103,366
	<hr/>	<hr/>

OTHER SPECIAL	\$98,315	\$103,366
REVENUE FUNDS TOTAL		

**Courts - Supreme, Superior and District 0063**

Initiative: Establishes one Senior Programmer Analyst position to support the information technology team.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COURT	1,000	1,000
Personal Services	\$117,582	\$123,668
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$117,582	\$123,668
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**Courts - Supreme, Superior and District 0063**

Initiative: Provides funding for the replacement of assisted listening devices.

GENERAL FUND	2017-18	2018-19
All Other	\$17,700	\$17,700
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GENERAL FUND TOTAL	\$17,700	\$17,700

**Courts - Supreme, Superior and District 0063**

Initiative: Continues 2 limited-period Court Appointed Special Advocate Legal Services Advisor positions through June 8, 2019. These positions were previously authorized in Public Law 2015, chapter 267.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$196,630	\$206,732
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$196,630	\$206,732

**Courts - Supreme, Superior and District 0063**

Initiative: Continues one limited-period Project Coordinator position and one limited-period Administrative Assistant position through June 8, 2019. These positions were previously authorized in Public Law 2015, chapter 267.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$183,860	\$191,859
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$183,860	\$191,859

**Courts - Supreme, Superior and District 0063**

Initiative: Continues 2 limited-period Collections Clerk positions through June 8, 2019 that were previously authorized in Public Law 2015, chapter 267. Also continues one limited-period Court Fine Screener position through June 8, 2019 that was previously authorized in Financial Order JJ 1708 F7.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$196,561	\$206,354
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$196,561	\$206,354

**Courts - Supreme, Superior and District 0063**

Initiative: Provides funding to support judicial branch capital expenditures for courthouse facilities throughout the State.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Capital Expenditures	\$300,000	\$300,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$300,000	\$300,000

**Courts - Supreme, Superior and District 0063**

Initiative: Provides funding for the reorganizations of one Division Supervisor I position to a Division Supervisor II position, one Assistant Clerk position to a Financial Clerk position, 5 Deputy Marshal positions to Corporal positions, one Administrative Clerk position to a Division Supervisor I position, and one Senior Service Center Associate position to a Service Center Supervisor position.

GENERAL FUND	2017-18	2018-19
Personal Services	\$41,713	\$45,119
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$41,713	\$45,119

**Courts - Supreme, Superior and District 0063**

Initiative: Reallocates the cost of various positions among the General Fund, Federal Expenditures Fund and Other Special Revenue Funds within the same program. Position detail is on file in the Bureau of the Budget.

GENERAL FUND	2017-18	2018-19
Personal Services	(\$846)	(\$4,807)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$846)	(\$4,807)

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	(\$1,903,859)	(\$1,961,773)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$1,903,859)</b>	<b>(\$1,961,773)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$1,904,705	\$1,966,580
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,904,705</b>	<b>\$1,966,580</b>

**Courts - Supreme, Superior and District 0063**

Initiative: Continues 4 limited-period Law Clerk positions through June 8, 2019. These positions were previously authorized by Financial Order JJ1700 F7.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$374,520	\$390,868
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$374,520</b>	<b>\$390,868</b>

**Courts - Supreme, Superior and District 0063**

Initiative: Reduces funding to reflect projected savings from an increase in the attrition rate from 1.6% to 5% for fiscal years 2017-18 and 2018-19.

GENERAL FUND	2017-18	2018-19
Personal Services	(\$1,294,289)	(\$1,336,070)
<b>GENERAL FUND TOTAL</b>	<b>(\$1,294,289)</b>	<b>(\$1,336,070)</b>

**COURTS - SUPREME, SUPERIOR AND DISTRICT 0063**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	518.500	518.500
Personal Services	\$42,962,715	\$44,147,534
All Other	\$17,909,417	\$18,026,697
<b>GENERAL FUND TOTAL</b>	<b>\$60,872,132</b>	<b>\$62,174,231</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	1.500	1.500
Personal Services	\$465,686	\$487,698
All Other	\$1,088,789	\$1,088,789
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,554,475</b>	<b>\$1,576,487</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	17.000	17.000
Personal Services	\$4,401,981	\$4,581,828
All Other	\$3,468,601	\$3,889,961
Capital Expenditures	\$300,000	\$300,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$8,170,582</b>	<b>\$8,771,789</b>

**Judicial - Debt Service Z097**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$11,935,909	\$11,935,909
<b>GENERAL FUND TOTAL</b>	<b>\$11,935,909</b>	<b>\$11,935,909</b>

**Judicial - Debt Service Z097**

Initiative: Provides funding for the increase in debt service costs for the previously authorized Oxford, Waldo, and York county courthouse projects pursuant to Public Law 2015, chapter 468.

GENERAL FUND	2017-18	2018-19
All Other	\$750,370	\$5,153,675
<b>GENERAL FUND TOTAL</b>	<b>\$750,370</b>	<b>\$5,153,675</b>

**JUDICIAL - DEBT SERVICE Z097**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$12,686,279	\$17,089,584
<b>GENERAL FUND TOTAL</b>	<b>\$12,686,279</b>	<b>\$17,089,584</b>

**JUDICIAL DEPARTMENT**

DEPARTMENT TOTALS	2017-18	2018-19
<b>GENERAL FUND</b>	<b>\$73,558,411</b>	<b>\$79,263,815</b>

FEDERAL EXPENDITURES FUND	\$1,554,475	\$1,576,487
OTHER SPECIAL REVENUE FUNDS	\$8,170,582	\$8,771,789
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$83,283,468</b>	<b>\$89,612,091</b>

Personal Services	\$28	\$27
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$28</b>	<b>\$27</b>

**Sec. A-45. Appropriations and allocations.**

The following appropriations and allocations are made.

**LABOR, DEPARTMENT OF**

**Administration - Bureau of Labor Standards 0158**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$78,240	\$81,284
All Other	\$31,350	\$31,350
<b>GENERAL FUND TOTAL</b>	<b>\$109,590</b>	<b>\$112,634</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$86,884	\$89,464
All Other	\$18,096	\$18,096
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$104,980</b>	<b>\$107,560</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$200,000	\$200,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$200,000</b>	<b>\$200,000</b>

**Administration - Bureau of Labor Standards 0158**

Initiative: Reorganizes one Director, Bureau of Labor Standards position to a Public Service Executive II position.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$175	\$170
<b>GENERAL FUND TOTAL</b>	<b>\$175</b>	<b>\$170</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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**Administration - Bureau of Labor Standards 0158**

Initiative: Provides funding in the All Other line category in order to align expenditures with anticipated increases in federal revenue.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$18,800	\$17,780
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$18,800</b>	<b>\$17,780</b>

**Administration - Bureau of Labor Standards 0158**

Initiative: Reallocates the cost of one Labor and Safety Inspector position from 15% Administration - Bureau of Labor Standards program, Federal Expenditures Fund and 85% Safety Education and Training Programs program, Other Special Revenue Funds to 50% Safety Education and Training Programs program, Other Special Revenue Funds and 50% Regulation and Enforcement program, General Fund. This initiative also eliminates one part-time Labor and Safety Inspector position in the Regulation and Enforcement program, General Fund to partially fund the reallocation.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$10,539)	(\$11,049)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$10,539)</b>	<b>(\$11,049)</b>

**ADMINISTRATION - BUREAU OF LABOR STANDARDS 0158**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$78,415	\$81,454
All Other	\$31,350	\$31,350
<b>GENERAL FUND TOTAL</b>	<b>\$109,765</b>	<b>\$112,804</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$76,373	\$78,442

All Other	\$36,896	\$35,876
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$113,269</b>	<b>\$114,318</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$200,000	\$200,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$200,000</b>	<b>\$200,000</b>

**Administration - Labor 0030**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$92,630	\$94,670
All Other	\$251,631	\$251,631
<b>GENERAL FUND TOTAL</b>	<b>\$344,261</b>	<b>\$346,301</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$1,104,468	\$1,128,702
All Other	\$2,891,665	\$2,891,665
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$3,996,133</b>	<b>\$4,020,367</b>

**Administration - Labor 0030**

Initiative: Establishes one Public Service Executive I position and provides funding for related All Other costs.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$107,640	\$112,923
All Other	\$5,000	\$5,000
<b>GENERAL FUND TOTAL</b>	<b>\$112,640</b>	<b>\$117,923</b>

**Administration - Labor 0030**

Initiative: Establishes 2 Rehabilitation Counselor I positions in the Rehabilitation Services program to provide preemployment transitions services to expand opportunities for students with disabilities and pro-

vides funding for related All Other costs in the Administration - Labor program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$12,767	\$13,343
<b>GENERAL FUND TOTAL</b>	<b>\$12,767</b>	<b>\$13,343</b>

**Administration - Labor 0030**

Initiative: Reallocates the cost of one Public Service Manager III position from 75% Federal Expenditures Fund and 25% General Fund to 50% Federal Expenditures Fund and 50% General Fund and transfers and reallocates the cost of one Statistical Program Supervisor position from 50% Federal Expenditures Fund and 50% General Fund to 100% General Fund within the Workforce Research program beginning in fiscal year 2018-19. Also provides funding for related All Other costs in the Administration - Labor program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$7,252
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$7,252</b>

**Administration - Labor 0030**

Initiative: Eliminates one Customer Representative Associate I-Employment position effective June 17, 2018.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$0	(\$4,367)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$4,367)</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$52,361)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$52,361)</b>

**ADMINISTRATION - LABOR 0030 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$200,270	\$203,226
All Other	\$269,398	\$277,226

GENERAL FUND TOTAL	\$469,668	\$480,452
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	11.000	10.000
Personal Services	\$1,104,468	\$1,076,341
All Other	\$2,891,665	\$2,891,665
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,996,133	\$3,968,006

**Blind and Visually Impaired - Division for the 0126**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$762,316	\$777,820
All Other	\$2,582,768	\$2,582,768
GENERAL FUND TOTAL	\$3,345,084	\$3,360,588

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	22.500	22.500
Personal Services	\$2,000,160	\$2,052,257
All Other	\$2,111,760	\$2,111,760
FEDERAL EXPENDITURES FUND TOTAL	\$4,111,920	\$4,164,017

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$104,022	\$105,035
All Other	\$108,044	\$108,044
OTHER SPECIAL REVENUE FUNDS TOTAL	\$212,066	\$213,079

**Blind and Visually Impaired - Division for the 0126**

Initiative: Eliminates one vacant Rehabilitation Counselor II position.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$73,543)	(\$77,310)
FEDERAL EXPENDITURES FUND TOTAL	(\$73,543)	(\$77,310)

**Blind and Visually Impaired - Division for the 0126**

Initiative: Eliminates one Office Associate II position effective June 17, 2018.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$64,886)
FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$64,886)

**Blind and Visually Impaired - Division for the 0126**

Initiative: Provides funding for the independent living function within the Division for the Blind and Visually Impaired program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$225,000	\$225,000
GENERAL FUND TOTAL	\$225,000	\$225,000

**Blind and Visually Impaired - Division for the 0126**

Initiative: Transfers and reallocates 2 Blindness Rehabilitation Specialist positions from 100% General Fund to 50% General Fund and 50% Federal Expenditures Fund and transfers one Rehabilitation Counselor II position from 100% Federal Expenditures Fund to 100% General Fund within the same program. Also adjusts funding for related All Other costs from the Federal Expenditures Fund to the General Fund within the same program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$9,546)	(\$10,335)
All Other	\$9,546	\$10,335
GENERAL FUND TOTAL	\$0	\$0

**Blind and Visually Impaired - Division for the 0126**

Initiative: Transfers and reallocates 2 Blindness Rehabilitation Specialist positions from 100% General

Fund to 50% General Fund and 50% Federal Expenditures Fund and transfers one Rehabilitation Counselor II position from 100% Federal Expenditures Fund to 100% General Fund within the same program. Also adjusts funding for related All Other costs from the Federal Expenditures Fund to the General Fund within the same program.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$9,546	\$10,335
All Other	(\$9,546)	(\$10,335)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**BLIND AND VISUALLY IMPAIRED - DIVISION FOR THE 0126**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$752,770	\$767,485
All Other	\$2,817,314	\$2,818,103
<b>GENERAL FUND TOTAL</b>	<b>\$3,570,084</b>	<b>\$3,585,588</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	22.500	21.500
Personal Services	\$1,936,163	\$1,920,396
All Other	\$2,102,214	\$2,101,425
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$4,038,377</b>	<b>\$4,021,821</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$104,022	\$105,035
All Other	\$108,044	\$108,044
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$212,066</b>	<b>\$213,079</b>

**Employment Security Services 0245**

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	134.000	134.000
Personal Services	\$11,606,082	\$11,993,159
All Other	\$17,131,840	\$17,131,840
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$28,737,922</b>	<b>\$29,124,999</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	54.500	54.500
Personal Services	\$2,011,792	\$2,076,427
All Other	\$1,373,146	\$1,373,146
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$3,384,938</b>	<b>\$3,449,573</b>

EMPLOYMENT SECURITY TRUST FUND	2017-18	2018-19
All Other	\$184,350,000	\$184,350,000
<b>EMPLOYMENT SECURITY TRUST FUND TOTAL</b>	<b>\$184,350,000</b>	<b>\$184,350,000</b>

**Employment Security Services 0245**

Initiative: Reduces funding to align allocation with anticipated expenditures.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$1,800,000)	(\$1,431,000)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$1,800,000)</b>	<b>(\$1,431,000)</b>

EMPLOYMENT SECURITY TRUST FUND	2017-18	2018-19
All Other	(\$10,000,000)	(\$10,000,000)
<b>EMPLOYMENT SECURITY TRUST FUND TOTAL</b>	<b>(\$10,000,000)</b>	<b>(\$10,000,000)</b>

**Employment Security Services 0245**

Initiative: Eliminates 2 vacant Claims Adjudicator positions, one vacant Field Advisor Examiner position, 2 vacant Office Assistant II positions, one vacant Of-

office Associate II position, one vacant Hearings Examiner position, one vacant Accounting Assistant Technician position and one vacant Customer Representative Associate I-Employment position.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(8,000)	(8,000)
Personal Services	(\$553,110)	(\$580,892)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$553,110)</b>	<b>(\$580,892)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$34,554)	(\$36,325)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$34,554)</b>	<b>(\$36,325)</b>

**Employment Security Services 0245**

Initiative: Eliminates one Claims Adjudicator position, 2 Office Assistant II positions, 3 Office Associate II positions, one Hearings Examiner position, one Accounting Assistant position, one Accounting Associate I position and one Customer Representative Associate I-Employment position effective June 17, 2018.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	(9,000)
Personal Services	\$0	(\$572,464)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>(\$572,464)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	(1,000)
Personal Services	\$0	(\$44,028)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$44,028)</b>

**Employment Security Services 0245**

Initiative: Eliminates one vacant Office Assistant II position and one Secretary Associate Legal Supervisor position.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$127,033)	(\$130,493)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$127,033)</b>	<b>(\$130,493)</b>

**Employment Security Services 0245**

Initiative: Transfers one Principal Economic Research Analyst position from the Workforce Research program, Federal Expenditures Fund to the Employment Security Services program, Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$120,009	\$121,057
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$120,009</b>	<b>\$121,057</b>

**Employment Security Services 0245**

Initiative: Reorganizes one Chair, Maine Unemployment Insurance Commission position and 2 Maine Unemployment Commission Members positions to Public Service Executive II positions.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$2,915	\$12,363
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,915</b>	<b>\$12,363</b>

**EMPLOYMENT SECURITY SERVICES 0245**

**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	125,000	116,000
Personal Services	\$11,048,863	\$10,842,730
All Other	\$15,331,840	\$15,700,840

FEDERAL EXPENDITURES FUND TOTAL	\$26,380,703	\$26,543,570
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,572,866	\$2,593,906
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	53.500	52.500
Personal Services	\$1,977,238	\$1,996,074
All Other	\$1,373,146	\$1,373,146

COMPETITIVE SKILLS SCHOLARSHIP FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$506,687	\$522,861
All Other	\$2,712,380	\$2,712,380

OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,350,384	\$3,369,220
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COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$3,219,067	\$3,235,241
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EMPLOYMENT SECURITY TRUST FUND	2017-18	2018-19
All Other	\$174,350,000	\$174,350,000

**Employment Services Activity 0852**

Initiative: Eliminates one Claims Adjudicator position, 2 Office Assistant II positions, 3 Office Associate II positions, one Hearings Examiner position, one Accounting Assistant position, one Accounting Associate I position and one Customer Representative Associate I-Employment position effective June 17, 2018.

EMPLOYMENT SECURITY TRUST FUND TOTAL	\$174,350,000	\$174,350,000
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**Employment Services Activity 0852**

Initiative: BASELINE BUDGET

COMPETITIVE SKILLS SCHOLARSHIP FUND	2017-18	2018-19
Personal Services	\$0	(\$13,441)

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$630,611	\$645,347
All Other	\$324,635	\$324,635

COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$0	(\$13,441)
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GENERAL FUND TOTAL	\$955,246	\$969,982
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**Employment Services Activity 0852**

Initiative: Transfers and reallocates the cost of various positions among the General Fund, Federal Expenditures Fund, Other Special Revenue Funds and Competitive Skills Scholarship Fund within the Employment Services Activity program to better align positions with work activity and adjusts All Other. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	108.000	108.000
Personal Services	\$7,251,281	\$7,464,406
All Other	\$16,973,940	\$16,973,940

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	(\$616)	(\$733)
All Other	\$616	\$733

FEDERAL EXPENDITURES FUND TOTAL	\$24,225,221	\$24,438,346
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GENERAL FUND TOTAL	\$0	\$0
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$652,195	\$673,235
All Other	\$1,920,671	\$1,920,671

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(4.000)	(4.000)

Personal Services	(\$244,779)	(\$251,446)
All Other	\$244,779	\$251,446

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

	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$124,349	\$127,080
All Other	(\$124,349)	(\$127,080)

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0
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**COMPETITIVE SKILLS SCHOLARSHIP FUND**

	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$121,046	\$125,099
All Other	(\$121,046)	(\$125,099)

COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$0	\$0
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**Employment Services Activity 0852**

Initiative: Eliminates 5 CareerCenter Consultant positions and one part-time CareerCenter Consultant position.

**FEDERAL EXPENDITURES FUND**

	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(5.500)	(5.500)
Personal Services	(\$356,216)	(\$371,250)

FEDERAL EXPENDITURES FUND TOTAL	(\$356,216)	(\$371,250)
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**COMPETITIVE SKILLS SCHOLARSHIP FUND**

Personal Services	(\$10,363)	(\$10,895)
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COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	(\$10,363)	(\$10,895)
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**Employment Services Activity 0852**

Initiative: Provides one-time funding for increased expenditures in the 2018-2019 biennium due to increased enrollment.

**COMPETITIVE SKILLS SCHOLARSHIP FUND**

All Other	\$700,000	\$700,000
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COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$700,000	\$700,000
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**Employment Services Activity 0852**

Initiative: Provides funding to increase the hours of one Employment and Training Specialist IV position from 74 hours to 80 hours biweekly and reduces All Other to fund the additional hours.

**FEDERAL EXPENDITURES FUND**

	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$6,113	\$6,346
All Other	(\$6,113)	(\$6,346)

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0
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**COMPETITIVE SKILLS SCHOLARSHIP FUND**

	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$1,080	\$1,120
All Other	(\$1,080)	(\$1,120)

COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$0	\$0
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**Employment Services Activity 0852**

Initiative: Transfers and reallocates the cost of one Financial Analyst position from 10% General Fund, 80% Federal Expenditures Fund and 10% Competitive Skills Scholarship Fund to 95% Other Special Revenue Funds and 5% General Fund; one Public Service Executive II position from 10% General Fund and 90% Federal Expenditures Fund to 95% Other Special Revenue Funds and 5% General Fund; one Public Service Manager II position from 89% Federal Expenditures Fund and 11% Competitive Skills Scholarship Fund to 95% Other Special Revenue Funds and 5% General Fund; one Public Service Manager II position from 5% General Fund and 95% Federal Expenditures Fund to 95% Other Special Revenue Funds and 5% General Fund; and one Public Service Manager II position from 100% Federal Expenditures Fund to 95% Other Special Revenue Funds and 5% General Fund within the same program.

GENERAL FUND	2017-18	2018-19
Personal Services	\$184	(\$6)

GENERAL FUND TOTAL	\$184	(\$6)
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	(5,000)	(5,000)
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Personal Services	(\$558,379)	(\$566,535)
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FEDERAL EXPENDITURES FUND TOTAL	(\$558,379)	(\$566,535)
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	5,000	5,000
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Personal Services	\$582,602	\$591,127
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$582,602	\$591,127
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COMPETITIVE SKILLS SCHOLARSHIP FUND	2017-18	2018-19
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Personal Services	(\$24,407)	(\$24,586)
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COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	(\$24,407)	(\$24,586)
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**Employment Services Activity 0852**

Initiative: Eliminates 5 CareerCenter Consultant positions and one Office Assistant II position effective June 17, 2018.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	0.000	(6,000)
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Personal Services	\$0	(\$335,672)
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FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$335,672)
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
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Personal Services	\$0	(\$35,077)
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$35,077)
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COMPETITIVE SKILLS SCHOLARSHIP FUND	2017-18	2018-19
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Personal Services	\$0	(\$9,352)
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COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$0	(\$9,352)
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**EMPLOYMENT SERVICES ACTIVITY 0852 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	3,000	3,000
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Personal Services	\$630,179	\$644,608
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All Other	\$325,251	\$325,368
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	93,500	87,500
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Personal Services	\$6,098,020	\$5,945,849
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All Other	\$17,212,606	\$17,219,040
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FEDERAL EXPENDITURES FUND TOTAL	\$23,310,626	\$23,164,889
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	15,000	15,000
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Personal Services	\$1,359,146	\$1,356,365
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All Other	\$1,796,322	\$1,793,591
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,155,468	\$3,149,956
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COMPETITIVE SKILLS SCHOLARSHIP FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	4,000	4,000
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Personal Services	\$594,043	\$590,806
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All Other	\$3,290,254	\$3,286,161
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COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$3,884,297	\$3,876,967
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POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$419,329	\$422,410
All Other	\$24,617	\$24,617

**Labor Relations Board 0160**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$484,265	\$490,628
All Other	\$24,617	\$24,617
<b>GENERAL FUND TOTAL</b>	<b>\$508,882</b>	<b>\$515,245</b>

GENERAL FUND TOTAL	\$443,946	\$447,027
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$95,000	\$95,000
All Other	\$45,477	\$45,477

OTHER SPECIAL REVENUE FUNDS TOTAL	\$140,477	\$140,477
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$75,300	\$75,300
All Other	\$45,477	\$45,477
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$120,777</b>	<b>\$120,777</b>

**Regulation and Enforcement 0159**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	8.500	8.500
Personal Services	\$663,240	\$679,928
All Other	\$170,296	\$170,296

GENERAL FUND TOTAL	\$833,536	\$850,224
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$675,599	\$685,663
All Other	\$425,815	\$425,815

FEDERAL EXPENDITURES FUND TOTAL	\$1,101,414	\$1,111,478
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**Labor Relations Board 0160**

Initiative: Eliminates one vacant Public Service Coordinator I position.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$64,936)	(\$68,218)
<b>GENERAL FUND TOTAL</b>	<b>(\$64,936)</b>	<b>(\$68,218)</b>

**Labor Relations Board 0160**

Initiative: Provides funding for per diem payments to Maine Labor Relations Board members.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$19,700	\$19,700
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$19,700</b>	<b>\$19,700</b>

**Regulation and Enforcement 0159**

Initiative: Transfers one Occupational Health Specialist position and 3 Occupational Safety Engineer positions from the Safety Education and Training Programs program, Other Special Revenue Funds to the Regulation and Enforcement program, Federal Expenditures Fund and adjusts between All Other and Personal Services.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$335,251	\$346,145

**LABOR RELATIONS BOARD 0160 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
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All Other	(\$335,251)	(\$346,145)
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FEDERAL EXPENDITURES	\$0	\$0
FUND TOTAL		

**Regulation and Enforcement 0159**

Initiative: Reallocates the cost of one Labor and Safety Inspector position from 15% Administration - Bureau of Labor Standards program, Federal Expenditures Fund and 85% Safety Education and Training Programs program, Other Special Revenue Funds to 50% Safety Education and Training Programs program, Other Special Revenue Funds and 50% Regulation and Enforcement program, General Fund. This initiative also eliminates one part-time Labor and Safety Inspector position in the Regulation and Enforcement program, General Fund to partially fund the reallocation.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)
Personal Services	(\$2,300)	(\$2,360)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$2,300)	(\$2,360)

**REGULATION AND ENFORCEMENT 0159 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$660,940	\$677,568
All Other	\$170,296	\$170,296
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$831,236	\$847,864

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
Personal Services	\$1,010,850	\$1,031,808
All Other	\$90,564	\$79,670
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$1,101,414	\$1,111,478

**Rehabilitation Services 0799**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	17.000	17.000

Personal Services	\$1,242,110	\$1,272,574
All Other	\$2,852,092	\$2,852,092
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$4,094,202	\$4,124,666

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	105.000	105.000
Personal Services	\$7,759,579	\$7,976,441
All Other	\$9,779,442	\$9,779,442
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$17,539,021	\$17,755,883

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$72,668	\$76,000
All Other	\$359,267	\$359,267
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$431,935	\$435,267

**Rehabilitation Services 0799**

Initiative: Reduces funding to align allocations with projected available resources.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$150,000)	(\$150,000)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$150,000)	(\$150,000)

**Rehabilitation Services 0799**

Initiative: Provides funding for case services.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$390,393
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$0	\$390,393

**Rehabilitation Services 0799**

Initiative: Establishes 2 Rehabilitation Counselor I positions in the Rehabilitation Services program to provide preemployment transitions services to expand opportunities for students with disabilities and provides funding for related All Other costs in the Administration - Labor program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$134,390	\$140,456
<b>GENERAL FUND TOTAL</b>	<b>\$134,390</b>	<b>\$140,456</b>

**Rehabilitation Services 0799**

Initiative: Establishes one limited-period Rehabilitation Services Manager position and 3 limited-period Rehabilitation Counselor I positions through June 30, 2019 and provides funding for related All Other costs.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$301,195	\$316,452
All Other	\$1,197,456	\$1,473,351
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,498,651</b>	<b>\$1,789,803</b>

**Rehabilitation Services 0799**

Initiative: Eliminates 2 vacant Rehabilitation Consultant positions, one vacant Rehabilitation Counselor II position, one vacant Office Associate II position and one Rehabilitation Assistant position.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(5.000)	(5.000)
Personal Services	(\$352,032)	(\$367,298)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$352,032)</b>	<b>(\$367,298)</b>

**Rehabilitation Services 0799**

Initiative: Eliminates one Rehabilitation Consultant position and 2 Office Assistant II positions effective June 17, 2018.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(3.000)
Personal Services	\$0	(\$197,576)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>(\$197,576)</b>

**REHABILITATION SERVICES 0799 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	19.000	19.000
Personal Services	\$1,376,500	\$1,413,030
All Other	\$2,852,092	\$3,242,485
<b>GENERAL FUND TOTAL</b>	<b>\$4,228,592</b>	<b>\$4,655,515</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	100.000	97.000
Personal Services	\$7,708,742	\$7,728,019
All Other	\$10,976,898	\$11,252,793
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$18,685,640</b>	<b>\$18,980,812</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$72,668	\$76,000
All Other	\$209,267	\$209,267
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$281,935</b>	<b>\$285,267</b>

**Safety Education and Training Programs 0161**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
Personal Services	\$1,628,624	\$1,682,278
All Other	\$750,803	\$750,803
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,379,427</b>	<b>\$2,433,081</b>

**Safety Education and Training Programs 0161**

Initiative: Transfers one Occupational Health Specialist position and 3 Occupational Safety Engineer positions from the Safety Education and Training Programs program, Other Special Revenue Funds to the Regulation and Enforcement program, Federal Expenditures Fund and adjusts between All Other and Personal Services.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COUNT	(4,000)	(4,000)
Personal Services	(\$335,251)	(\$346,145)
All Other	\$335,251	\$346,145
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

**Safety Education and Training Programs 0161**

Initiative: Reorganizes one Director, Bureau of Labor Standards position to a Public Service Executive II position.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$308	\$293
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$308	\$293

**Safety Education and Training Programs 0161**

Initiative: Reallocates the cost of one Labor and Safety Inspector position from 15% Administration - Bureau of Labor Standards program, Federal Expenditures Fund and 85% Safety Education and Training Programs program, Other Special Revenue Funds to 50% Safety Education and Training Programs program, Other Special Revenue Funds and 50% Regulation and Enforcement program, General Fund. This initiative also eliminates one part-time Labor and Safety Inspector position in the Regulation and Enforcement program, General Fund to partially fund the reallocation.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$24,589)	(\$25,780)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$24,589)	(\$25,780)

**Safety Education and Training Programs 0161**

Initiative: Eliminates one Office Associate II position effective June 17, 2018.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$59,961)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$59,961)

**Safety Education and Training Programs 0161**

Initiative: Eliminates one Occupational Health Specialist position and one vacant Office Associate II position.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$147,697)	(\$151,472)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$147,697)	(\$151,472)

**SAFETY EDUCATION AND TRAINING PROGRAMS 0161**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	16,000	15,000
Personal Services	\$1,121,395	\$1,099,213
All Other	\$1,086,054	\$1,096,948
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,207,449	\$2,196,161

**State Workforce Investment Board Z158**

Initiative: BASELINE BUDGET

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$320,088	\$329,318
All Other	\$52,751	\$52,751
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$372,839	\$382,069

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$16,846	\$17,331
All Other	\$81,708	\$81,708
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$98,554	\$99,039

**State Workforce Investment Board Z158**

Initiative: Reallocates the cost of one Labor Program Specialist position, one Public Service Coordinator II position and one Public Service Manager III position from 95% Federal Expenditures Fund and 5% Other Special Revenue Funds to 100% Federal Expenditures Fund within the same program.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$16,846	\$17,331
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$16,846</b>	<b>\$17,331</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$16,846)	(\$17,331)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$16,846)</b>	<b>(\$17,331)</b>

**STATE WORKFORCE INVESTMENT BOARD Z158**

**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$336,934	\$346,649
All Other	\$52,751	\$52,751
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$389,685</b>	<b>\$399,400</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$0	\$0
All Other	\$81,708	\$81,708
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$81,708</b>	<b>\$81,708</b>

**Workforce Research Z164**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$66,151	\$69,552
All Other	\$184,011	\$184,011

GENERAL FUND TOTAL	\$250,162	\$253,563
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	21.500	21.500
Personal Services	\$1,934,245	\$1,987,557
All Other	\$1,030,681	\$1,030,681
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,964,926</b>	<b>\$3,018,238</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$54,379	\$54,379
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$54,379</b>	<b>\$54,379</b>

**Workforce Research Z164**

Initiative: Transfers one Principal Economic Research Analyst position from the Workforce Research program, Federal Expenditures Fund to the Employment Security Services program, Federal Expenditures Fund.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$120,009)	(\$121,057)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$120,009)</b>	<b>(\$121,057)</b>

**Workforce Research Z164**

Initiative: Transfers and reallocates the cost of one Statistician III position from 60% General Fund and 40% Federal Expenditures Fund to 100% Federal Expenditures Fund within the same program. This initiative also reallocates the cost of one Senior Economic Research Analyst position from 25% General Fund and 75% Federal Expenditures Fund to 100% Federal Expenditures Fund within the same program; one Public Service Manager III position from 100% Federal Expenditures Fund to 75% Federal Expenditures Fund and 25% General Fund within the same program, and one Statistical Program Supervisor position from 100% Federal Expenditures Fund to 50% Federal Expenditures Fund and 50% General Fund within the same program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	\$6,450	\$6,781
<b>GENERAL FUND TOTAL</b>	<b>\$6,450</b>	<b>\$6,781</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	(\$6,450)	(\$6,781)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$6,450)</b>	<b>(\$6,781)</b>

**Workforce Research Z164**

Initiative: Eliminates one vacant Statistician III position.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$73,543)	(\$77,310)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$73,543)</b>	<b>(\$77,310)</b>

**Workforce Research Z164**

Initiative: Eliminates 2 Senior Economic Research Analyst positions and one Statistician III position effective June 17, 2018.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	(3.000)
Personal Services	\$0	(\$262,640)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>(\$262,640)</b>

**Workforce Research Z164**

Initiative: Reallocates the cost of one Public Service Manager III position from 75% Federal Expenditures Fund and 25% General Fund to 50% Federal Expenditures Fund and 50% General Fund and transfers and reallocates the cost of one Statistical Program Supervisor position from 50% Federal Expenditures Fund and 50% General Fund to 100% General Fund within the Workforce Research program beginning in fiscal year

2018-19. Also provides funding for related All Other costs in the Administration - Labor program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$76,335
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$76,335</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	(1,000)
Personal Services	\$0	(\$76,335)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>(\$76,335)</b>

**WORKFORCE RESEARCH Z164**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$72,601	\$152,668
All Other	\$184,011	\$184,011
<b>GENERAL FUND TOTAL</b>	<b>\$256,612</b>	<b>\$336,679</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	20.500	16.500
Personal Services	\$1,734,243	\$1,443,434
All Other	\$1,030,681	\$1,030,681
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,764,924</b>	<b>\$2,474,115</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$54,379	\$54,379
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$54,379</b>	<b>\$54,379</b>

LABOR, DEPARTMENT OF DEPARTMENT TOTALS	2017-18	2018-19
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<b>GENERAL FUND</b>	<b>\$10,865,333</b>	<b>\$11,435,905</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$76,784,638</b>	<b>\$76,810,403</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$13,679,999</b>	<b>\$13,658,253</b>
<b>EMPLOYMENT SECURITY TRUST FUND</b>	<b>\$174,350,000</b>	<b>\$174,350,000</b>
<b>COMPETITIVE SKILLS SCHOLARSHIP FUND</b>	<b>\$3,884,297</b>	<b>\$3,876,967</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$279,564,267</b>	<b>\$280,131,528</b>

All Other	\$36,300	\$26,300
<b>GENERAL FUND TOTAL</b>	<b>\$37,620</b>	<b>\$27,620</b>

**CITIZEN TRADE POLICY COMMISSION Z173**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$1,320	\$1,320
All Other	\$36,300	\$26,300
<b>GENERAL FUND TOTAL</b>	<b>\$37,620</b>	<b>\$27,620</b>

**Interstate Cooperation - Commission on 0053**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$209,557	\$209,557
<b>GENERAL FUND TOTAL</b>	<b>\$209,557</b>	<b>\$209,557</b>

**INTERSTATE COOPERATION - COMMISSION ON 0053**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$209,557	\$209,557
<b>GENERAL FUND TOTAL</b>	<b>\$209,557</b>	<b>\$209,557</b>

**Sec. A-46. Appropriations and allocations.**  
The following appropriations and allocations are made.

**LAW AND LEGISLATIVE REFERENCE LIBRARY**

**Law and Legislative Reference Library 0636**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,195,454	\$1,236,238
All Other	\$356,757	\$356,757
<b>GENERAL FUND TOTAL</b>	<b>\$1,552,211</b>	<b>\$1,592,995</b>

**LAW AND LEGISLATIVE REFERENCE LIBRARY 0636**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,195,454	\$1,236,238
All Other	\$356,757	\$356,757
<b>GENERAL FUND TOTAL</b>	<b>\$1,552,211</b>	<b>\$1,592,995</b>

**Legislature 0081**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	150.500	150.500
POSITIONS - FTE COUNT	30.947	30.947
Personal Services	\$21,218,939	\$23,019,687
All Other	\$4,205,348	\$4,565,112
<b>GENERAL FUND TOTAL</b>	<b>\$25,424,287</b>	<b>\$27,584,799</b>

**Sec. A-47. Appropriations and allocations.**  
The following appropriations and allocations are made.

**LEGISLATURE**

**Citizen Trade Policy Commission Z173**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$1,320	\$1,320

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**LEGISLATURE 0081**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	150.500	150.500
POSITIONS - FTE COUNT	30.947	30.947
Personal Services	\$21,218,939	\$23,019,687
All Other	\$4,205,348	\$4,565,112
<b>GENERAL FUND TOTAL</b>	<b>\$25,424,287</b>	<b>\$27,584,799</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**State House and Capitol Park Commission 0615**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$67,834	\$67,834
<b>GENERAL FUND TOTAL</b>	<b>\$67,834</b>	<b>\$67,834</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**STATE HOUSE AND CAPITOL PARK COMMISSION 0615**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$67,834	\$67,834
<b>GENERAL FUND TOTAL</b>	<b>\$67,834</b>	<b>\$67,834</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Study Commissions - Funding 0444**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$3,725	\$3,725
All Other	\$6,275	\$6,275
<b>GENERAL FUND TOTAL</b>	<b>\$10,000</b>	<b>\$10,000</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**STUDY COMMISSIONS - FUNDING 0444**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$3,725	\$3,725
All Other	\$6,275	\$6,275
<b>GENERAL FUND TOTAL</b>	<b>\$10,000</b>	<b>\$10,000</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Uniform State Laws - Commission on 0242**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$10,000	\$10,000
<b>GENERAL FUND TOTAL</b>	<b>\$10,000</b>	<b>\$10,000</b>

**UNIFORM STATE LAWS - COMMISSION ON 0242**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$10,000	\$10,000
<b>GENERAL FUND TOTAL</b>	<b>\$10,000</b>	<b>\$10,000</b>

**LEGISLATURE**

<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>	All Other	\$32,000	\$32,000
<b>GENERAL FUND</b>	<b>\$25,759,298</b>	<b>\$27,909,810</b>			
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$1,500</b>	<b>\$1,500</b>	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$32,000</b>	<b>\$32,000</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$25,760,798</b>	<b>\$27,911,310</b>			

**Sec. A-48. Appropriations and allocations.**

The following appropriations and allocations are made.

**LIBRARY, MAINE STATE**

**Administration - Library 0215**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$148,237	\$154,552
All Other	\$85,938	\$85,938
<b>GENERAL FUND TOTAL</b>	<b>\$234,175</b>	<b>\$240,490</b>

**ADMINISTRATION - LIBRARY 0215**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$148,237	\$154,552
All Other	\$85,938	\$85,938
<b>GENERAL FUND TOTAL</b>	<b>\$234,175</b>	<b>\$240,490</b>

**Maine Public Library Fund Z144**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$32,000	\$32,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$32,000</b>	<b>\$32,000</b>

**MAINE PUBLIC LIBRARY FUND Z144**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
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**Maine State Library 0217**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	30.500	30.500
Personal Services	\$2,108,606	\$2,148,634
All Other	\$909,225	\$909,225
<b>GENERAL FUND TOTAL</b>	<b>\$3,017,831</b>	<b>\$3,057,859</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	12.500	12.500
Personal Services	\$824,807	\$845,869
All Other	\$453,971	\$453,971
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,278,778</b>	<b>\$1,299,840</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$689,977	\$689,977
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$689,977</b>	<b>\$689,977</b>

**Maine State Library 0217**

Initiative: Provides funding for the annual Reading Round Up conference.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$30,000	\$30,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$30,000</b>	<b>\$30,000</b>

**MAINE STATE LIBRARY 0217**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	30.500	30.500

Personal Services	\$2,108,606	\$2,148,634
All Other	\$909,225	\$909,225

<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$5,525,547</b>	<b>\$5,592,952</b>
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<b>GENERAL FUND TOTAL</b>	<b>\$3,017,831</b>	<b>\$3,057,859</b>
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<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	12,500	12,500
Personal Services	\$824,807	\$845,869
All Other	\$453,971	\$453,971

**Sec. A-49. Appropriations and allocations.**  
The following appropriations and allocations are made.

**MAINE LOBSTER MARKETING COLLABORATIVE**

**Lobster Promotion Fund 0701**

Initiative: BASELINE BUDGET

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,278,778</b>	<b>\$1,299,840</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$2,686,000	\$2,686,000

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$719,977	\$719,977

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,686,000</b>	<b>\$2,686,000</b>
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<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$719,977</b>	<b>\$719,977</b>
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**Lobster Promotion Fund 0701**

Initiative: Reduces funding in fiscal year 2018-19 to align allocation with projected available resources as enacted in Public Law 2013, chapter 309.

**Statewide Library Information System 0185**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$242,786	\$242,786

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	(\$1,687,500)

<b>GENERAL FUND TOTAL</b>	<b>\$242,786</b>	<b>\$242,786</b>
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<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$1,687,500)</b>
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**STATEWIDE LIBRARY INFORMATION SYSTEM 0185**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$242,786	\$242,786

**LOBSTER PROMOTION FUND 0701 PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$2,686,000	\$998,500

<b>GENERAL FUND TOTAL</b>	<b>\$242,786</b>	<b>\$242,786</b>
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<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,686,000</b>	<b>\$998,500</b>
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**LIBRARY, MAINE STATE**

<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	<b>\$3,494,792</b>	<b>\$3,541,135</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$1,278,778</b>	<b>\$1,299,840</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$751,977</b>	<b>\$751,977</b>

**MAINE LOBSTER MARKETING COLLABORATIVE**

<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$2,686,000</b>	<b>\$998,500</b>
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<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$2,686,000</b>	<b>\$998,500</b>
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**Sec. A-50. Appropriations and allocations.**

The following appropriations and allocations are made.

**MARINE RESOURCES, DEPARTMENT OF**

**Bureau of Marine Science 0027**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,509,752	\$1,530,910
All Other	\$684,414	\$684,414

<b>GENERAL FUND TOTAL</b>	<b>\$2,194,166</b>	<b>\$2,215,324</b>
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<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	25.000	25.000
POSITIONS - FTE COUNT	3.250	3.250
Personal Services	\$1,797,700	\$1,834,606
All Other	\$775,058	\$775,058

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,572,758</b>	<b>\$2,609,664</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
POSITIONS - FTE COUNT	1.000	1.000
Personal Services	\$1,361,632	\$1,405,291
All Other	\$780,045	\$780,045

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,141,677</b>	<b>\$2,185,336</b>
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**Bureau of Marine Science 0027**

Initiative: Eliminates one vacant Natural Science Educator position in the Bureau of Marine Science program and reduces funding for related All Other costs. Also continues one Public Service Coordinator II position in the Bureau of Policy and Management program previously established by Financial Order 003507 F6 and continued by Financial Order 003864 F7 and provides funding for related All Other costs.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$59,111)	(\$62,012)
All Other	(\$2,010)	(\$2,108)

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$61,121)</b>	<b>(\$64,120)</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$19,702)	(\$20,670)
All Other	(\$670)	(\$703)

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$20,372)</b>	<b>(\$21,373)</b>
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**Bureau of Marine Science 0027**

Initiative: Eliminates one Office Assistant I position in the Bureau of Policy and Management program, General Fund and one Conservation Aide position in the Bureau of Marine Science program, Federal Expenditures Fund. Continues one Office Associate II position previously authorized in Public Law 2015, chapter 267, Part A and transfers the position from the Bureau of Marine Patrol program, Other Special Revenue Funds to the Bureau of Policy and Management program, Other Special Revenue Funds and adjusts All Other costs related to STA-CAP.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - FTE COUNT	(0.500)	(0.500)
Personal Services	(\$18,879)	(\$19,642)
All Other	(\$642)	(\$668)

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$19,521)</b>	<b>(\$20,310)</b>
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**Bureau of Marine Science 0027**

Initiative: Eliminates 2 seasonal Conservation Aide positions in the Bureau of Marine Science program and reduces funding for related All Other costs. Also continues one Office Associate II position previously authorized in Public Law 2015, chapter 267, Part A in the Bureau of Policy and Management program and provides funding for related All Other costs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - FTE COUNT	(1.000)	(1.000)
Personal Services	(\$51,392)	(\$53,509)
All Other	(\$1,747)	(\$1,819)

OTHER SPECIAL	(\$53,139)	(\$55,328)
REVENUE FUNDS TOTAL		

**Bureau of Marine Science 0027**

Initiative: Reallocates the cost of one Marine Resource Scientist II position from 100% Federal Expenditures Fund to 30% Federal Expenditures Fund and 70% Other Special Revenue Funds within the same program and adjusts related All Other costs.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	(\$70,035)	(\$70,647)
All Other	(\$2,381)	(\$2,402)
FEDERAL EXPENDITURES FUND TOTAL	(\$72,416)	(\$73,049)

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$70,035	\$70,647
All Other	\$2,381	\$2,402
OTHER SPECIAL REVENUE FUNDS TOTAL	\$72,416	\$73,049

**Bureau of Marine Science 0027**

Initiative: Transfers one Marine Resource Specialist II position from the Bureau of Marine Science program, Federal Expenditures Fund to the Bureau of Policy and Management program, Other Special Revenue Funds and adjusts related All Other costs.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$57,073)	(\$59,599)
All Other	(\$1,940)	(\$2,026)
FEDERAL EXPENDITURES FUND TOTAL	(\$59,013)	(\$61,625)

**Bureau of Marine Science 0027**

Initiative: Reallocates the costs for one Marine Resource Scientist III position from 50% Federal Expenditures Fund and 50% Other Special Revenue Funds to 75% Federal Expenditures Fund and 25% Other Special Revenue Funds within the same program and adjusts the related All Other costs.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$26,346	\$26,507
All Other	\$896	\$901

FEDERAL EXPENDITURES FUND TOTAL	\$27,242	\$27,408
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	(\$26,346)	(\$26,507)
All Other	(\$896)	(\$901)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$27,242)	(\$27,408)
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**Bureau of Marine Science 0027**

Initiative: Reallocates the cost for one Public Service Manager I position from 50% Bureau of Policy and Management program, Other Special Revenue Funds and 50% Bureau of Marine Science program, Other Special Revenue Funds to 50% Bureau of Policy and Management program, Other Special Revenue Funds, 50% Bureau of Policy and Management program, Federal Expenditures and adjusts related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$0	\$0
All Other	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0
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**Bureau of Marine Science 0027**

Initiative: Reallocates the cost for one Marine Resource Scientist III position from 60% Other Special Revenue Funds and 40% Federal Expenditures Fund to 70% Other Special Revenue Funds and 30% Federal Expenditures Fund within the same program and adjusts related All Other costs.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	(\$11,483)	(\$11,600)
All Other	(\$390)	(\$394)

FEDERAL EXPENDITURES FUND TOTAL	(\$11,873)	(\$11,994)
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$11,483	\$11,600
All Other	\$390	\$394
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$11,873</b>	<b>\$11,994</b>

**Bureau of Marine Science 0027**

Initiative: Reallocates the cost for one Marine Resource Scientist IV position from 50% Bureau of Marine Science program, Other Special Revenue Funds and 50% Bureau of Marine Science program, Federal Expenditures Fund to 25% Bureau of Policy and Management program, Other Special Revenue Funds and 75% Bureau of Marine Science program, Federal Expenditures Fund and adjusts related All Other costs.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$26,925	\$28,212
All Other	\$915	\$959
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$27,840</b>	<b>\$29,171</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	(\$53,847)	(\$56,421)
All Other	(\$1,831)	(\$1,918)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$55,678)</b>	<b>(\$58,339)</b>

**Bureau of Marine Science 0027**

Initiative: Reallocates the cost for one Marine Resource Scientist I position from 75% Other Special Revenue Funds and 25% Federal Expenditures Fund to 100% Federal Expenditures Fund within the same program and adjusts related All Other costs.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$52,875	\$55,425
All Other	\$1,798	\$1,884
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$54,673</b>	<b>\$57,309</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	(\$52,875)	(\$55,425)

All Other	(\$1,798)	(\$1,884)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$54,673)</b>	<b>(\$57,309)</b>

**Bureau of Marine Science 0027**

Initiative: Reallocates the cost for one Marine Resource Scientist II position from 25% General Fund and 75% Federal Expenditures Fund to 25% General Fund, 30% Federal Expenditures Fund and 45% Other Special Revenue Funds within the same program and adjusts related All Other costs.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	(\$46,197)	(\$46,715)
All Other	(\$1,571)	(\$1,588)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$47,768)</b>	<b>(\$48,303)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$46,197	\$46,715
All Other	\$1,571	\$1,588
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$47,768</b>	<b>\$48,303</b>

**Bureau of Marine Science 0027**

Initiative: Transfers and reallocates the cost of one Marine Resource Scientist II position from 25% Bureau of Marine Science program, General Fund, 25% Bureau of Marine Science program, Federal Expenditures Fund and 50% Bureau of Marine Science program, Other Special Revenue Funds to 25% Bureau of Marine Science program, General Fund, 50% Bureau of Marine Science program, Other Special Revenue Funds and 25% Bureau of Policy and Management program, Other Special Revenues Funds and adjusts related All Other costs.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$20,119)	(\$21,121)
All Other	(\$684)	(\$718)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$20,803)</b>	<b>(\$21,839)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

**Bureau of Marine Science 0027**

Initiative: Transfers funding for research contracts and related STA-CAP costs from the Bureau of Marine Science program to the Bureau of Public Health program.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$10,549)	(\$10,549)
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OTHER SPECIAL REVENUE FUNDS TOTAL	(\$10,549)	(\$10,549)

**Bureau of Marine Science 0027**

Initiative: Reduces funding to align allocations with projected available resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$25,850)	(\$25,850)
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OTHER SPECIAL REVENUE FUNDS TOTAL	(\$25,850)	(\$25,850)

**Bureau of Marine Science 0027**

Initiative: Provides funding for STA-CAP in the Bureau of Marine Science Lobster Management Fund program.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$15,200	\$16,920
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,200	\$16,920

**Bureau of Marine Science 0027**

Initiative: Reorganizes one Office Associate I position to an Office Associate II position and transfers All Other to Personal Services to fund the reorganization.

GENERAL FUND	2017-18	2018-19
Personal Services	\$2,444	\$2,546
All Other	(\$2,444)	(\$2,546)

GENERAL FUND TOTAL	\$0	\$0
<hr/>		

**Bureau of Marine Science 0027**

Initiative: Reduces funding to close the Boothbay Harbor lab library, decommission the seawater lab for 5 months annually and reduce the Central Fleet pool vehicles.

GENERAL FUND	2017-18	2018-19
All Other	(\$71,340)	(\$71,340)
<hr/>		
GENERAL FUND TOTAL	(\$71,340)	(\$71,340)

**Bureau of Marine Science 0027**

Initiative: Eliminates one Marine Resources Specialist II position.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$63,912)	(\$66,571)
<hr/>		
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$63,912)	(\$66,571)

**Bureau of Marine Science 0027**

Initiative: Transfers funding for rent from the Bureau of Marine Science program to the Bureau of Public Health program within the same fund.

GENERAL FUND	2017-18	2018-19
All Other	(\$20,000)	(\$20,000)
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GENERAL FUND TOTAL	(\$20,000)	(\$20,000)

**Bureau of Marine Science 0027**

Initiative: Eliminates 2 vacant seasonal Conservation Aide positions in the Bureau of Marine Science program and reduces funding for related All Other costs. Also continues one Marine Resource Scientist III position in the Bureau of Policy and Management program previously established by Financial Order 003931 F7 and provides funding for related All Other costs.

GENERAL FUND	2017-18	2018-19
Personal Services	(\$5,632)	(\$5,840)
<hr/>		
GENERAL FUND TOTAL	(\$5,632)	(\$5,840)

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - FTE COUNT	(0.750)	(0.750)
Personal Services	(\$30,443)	(\$31,602)
All Other	(\$1,035)	(\$1,074)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$31,478)</b>	<b>(\$32,676)</b>

**BUREAU OF MARINE SCIENCE 0027  
PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,506,564	\$1,527,616
All Other	\$590,630	\$590,528
<b>GENERAL FUND TOTAL</b>	<b>\$2,097,194</b>	<b>\$2,118,144</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	22.000	22.000
POSITIONS - FTE COUNT	2.000	2.000
Personal Services	\$1,590,506	\$1,621,812
All Other	\$768,014	\$767,824
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,358,520</b>	<b>\$2,389,636</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
POSITIONS - FTE COUNT	0.000	0.000
Personal Services	\$1,221,273	\$1,255,150
All Other	\$756,246	\$757,725
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,977,519</b>	<b>\$2,012,875</b>

**Bureau of Policy and Management 0258**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	11.500	11.500
Personal Services	\$1,042,110	\$1,069,311

All Other	\$1,341,303	\$1,341,303
<b>GENERAL FUND TOTAL</b>	<b>\$2,383,413</b>	<b>\$2,410,614</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,244,297	\$1,271,724
All Other	\$586,911	\$586,911

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,831,208</b>	<b>\$1,858,635</b>
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**Bureau of Policy and Management 0258**

Initiative: Eliminates one vacant Natural Science Educator position in the Bureau of Marine Science program and reduces funding for related All Other costs. Also continues one Public Service Coordinator II position in the Bureau of Policy and Management program previously established by Financial Order 003507 F6 and continued by Financial Order 003864 F7 and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$116,913	\$121,950
All Other	\$3,975	\$4,146

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$120,888</b>	<b>\$126,096</b>
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**Bureau of Policy and Management 0258**

Initiative: Eliminates one Marine Patrol Specialist position and reduces funding for related All Other costs in the Bureau of Marine Patrol program, Federal Expenditures Fund. Also continues one Marine Resource Scientist I position previously established by Financial Order 003380 F6 and continued by Financial Order 003863 F7 and provides funding for related All Other costs in the Bureau of Policy and Management program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$79,028	\$82,956
All Other	\$2,687	\$2,821

OTHER SPECIAL	\$81,715	\$85,777
REVENUE FUNDS TOTAL		

**Bureau of Policy and Management 0258**

Initiative: Reallocates the cost of one Public Service Coordinator I position from 100% Bureau of Policy and Management program, Other Special Revenue Funds to 60% Bureau of Policy and Management program, Other Special Revenue Funds and 40% Bureau of Marine Patrol program, Other Special Revenue Funds and adjusts related All Other cost.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	(\$33,329)	(\$34,951)
All Other	(\$1,133)	(\$1,129)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$34,462)	(\$36,080)

**Bureau of Policy and Management 0258**

Initiative: Reallocates the cost of one Office Specialist I position from 50% Bureau of Marine Patrol program, General Fund and 50% Bureau of Marine Patrol program, Other Special Revenue Funds to 50% Bureau of Marine Patrol program, General Fund and 50% Bureau of Policy and Management program, Other Special Revenue Funds and adjusts related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$32,249	\$33,858
All Other	\$1,096	\$1,151
OTHER SPECIAL REVENUE FUNDS TOTAL	\$33,345	\$35,009

**Bureau of Policy and Management 0258**

Initiative: Eliminates one Office Assistant I position in the Bureau of Policy and Management program, General Fund and one Conservation Aide position in the Bureau of Marine Science program, Federal Expenditures Fund. Continues one Office Associate II position previously authorized in Public Law 2015, chapter 267, Part A and transfers the position from the Bureau of Marine Patrol program, Other Special Revenue Funds to the Bureau of Policy and Management program, Other Special Revenue Funds and adjusts All Other costs related to STA-CAP.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(0.500)	(0.500)

Personal Services	(\$21,402)	(\$22,457)
GENERAL FUND TOTAL	(\$21,402)	(\$22,457)

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$61,464	\$64,628
All Other	\$2,092	\$2,198
OTHER SPECIAL REVENUE FUNDS TOTAL	\$63,556	\$66,826

**Bureau of Policy and Management 0258**

Initiative: Eliminates 2 seasonal Conservation Aide positions in the Bureau of Marine Science program and reduces funding for related All Other costs. Also continues one Office Associate II position previously authorized in Public Law 2015, chapter 267, Part A in the Bureau of Policy and Management program and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$72,133	\$73,264
All Other	\$2,453	\$2,491
OTHER SPECIAL REVENUE FUNDS TOTAL	\$74,586	\$75,755

**Bureau of Policy and Management 0258**

Initiative: Transfers funding for emerging public health and fisheries work from the Bureau of Policy and Management program to the Bureau of Public Health program.

GENERAL FUND	2017-18	2018-19
All Other	(\$80,000)	(\$80,000)
GENERAL FUND TOTAL	(\$80,000)	(\$80,000)

**Bureau of Policy and Management 0258**

Initiative: Transfers one Marine Resource Specialist II position from the Bureau of Marine Science program, Federal Expenditures Fund to the Bureau of Policy and Management program, Other Special Revenue Funds and adjusts related All Other costs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUN	1.000	1.000
Personal Services	\$57,073	\$59,599
All Other	\$1,940	\$2,026
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$59,013	\$61,625

**Bureau of Policy and Management 0258**

Initiative: Reallocates the cost for one Public Service Manager I position from 50% Bureau of Policy and Management program, Other Special Revenue Funds and 50% Bureau of Marine Science program, Other Special Revenue Funds to 50% Bureau of Policy and Management program, Other Special Revenue Funds, 50% Bureau of Policy and Management program, Federal Expenditures and adjusts related All Other costs.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUN	1.000	1.000
Personal Services	\$52,923	\$53,548
All Other	\$1,799	\$1,821
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$54,722	\$55,369

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUN	(1.000)	(1.000)
Personal Services	(\$52,923)	(\$53,548)
All Other	(\$1,188)	(\$1,188)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$54,111)	(\$54,736)

**Bureau of Policy and Management 0258**

Initiative: Reallocates the cost for one Marine Resource Scientist IV position from 50% Bureau of Marine Science program, Other Special Revenue Funds and 50% Bureau of Marine Science program, Federal Expenditures Fund to 25% Bureau of Policy and Management program, Other Special Revenue Funds and 75% Bureau of Marine Science program, Federal Expenditures Fund and adjusts related All Other costs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>

Personal Services	\$26,922	\$28,209
All Other	\$915	\$959
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$27,837	\$29,168

**Bureau of Policy and Management 0258**

Initiative: Transfers and reallocates the cost of one Marine Resource Scientist II position from 25% Bureau of Marine Science program, General Fund, 25% Bureau of Marine Science program, Federal Expenditures Fund and 50% Bureau of Marine Science program, Other Special Revenue Funds to 25% Bureau of Marine Science program, General Fund, 50% Bureau of Marine Science program, Other Special Revenue Funds and 25% Bureau of Policy and Management program, Other Special Revenues Funds and adjusts related All Other costs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$20,119	\$21,121
All Other	\$684	\$718
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,803	\$21,839

**Bureau of Policy and Management 0258**

Initiative: Reorganizes one Marine Resource Scientist III position to a Public Service Manager II position and provides funding for related All Other costs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$10,577	\$14,544
All Other	\$374	\$374
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,951	\$14,918

**Bureau of Policy and Management 0258**

Initiative: Transfers funding for the general operation costs of the Marine Science, Management and Enforcement Fund from the Marine Science, Management and Enforcement Fund program to the Bureau of Policy and Management program within the same fund.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$500	\$500

OTHER SPECIAL	\$500	\$500
REVENUE FUNDS TOTAL		

**Bureau of Policy and Management 0258**

Initiative: Provides funding for the Department of Marine Resources to develop paperless entry in the Coastal Fisheries, Research Management and Opportunity Fund.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$129,250	\$51,700
OTHER SPECIAL REVENUE FUNDS TOTAL	\$129,250	\$51,700

**Bureau of Policy and Management 0258**

Initiative: Provides funding for the approved reclassification of 2 Marine Mechanic Specialist positions from range 16 to range 18 and related All Other costs. This also reallocates the cost of these positions from 100% Bureau of Marine Patrol program, Other Special Revenue Funds to 90% Bureau of Marine Patrol program, Other Special Revenue Funds and 10% Bureau of Policy and Management, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$33,877	\$15,115
All Other	\$1,152	\$514
OTHER SPECIAL REVENUE FUNDS TOTAL	\$35,029	\$15,629

**Bureau of Policy and Management 0258**

Initiative: Reduces funding to align allocations with projected available resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$23,265)	(\$23,265)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$23,265)	(\$23,265)

**Bureau of Policy and Management 0258**

Initiative: Reallocates 15% of the cost of 2 Marine Patrol Officer positions and one Marine Patrol Specialist position from the Bureau of Marine Patrol program, Federal Expenditures Fund to the Bureau of Policy and Management program, Other Special

Revenue Funds and reallocates 15% of the cost of 6 Marine Patrol Officer positions and 2 Marine Patrol Specialist positions from the Bureau of Marine Patrol program, Other Special Revenue Funds to the Bureau of Policy and Management program, Other Special Revenue Funds. Also adjusts funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$161,648	\$165,757
All Other	\$5,496	\$5,636
OTHER SPECIAL REVENUE FUNDS TOTAL	\$167,144	\$171,393

**Bureau of Policy and Management 0258**

Initiative: Reorganizes one Accounting Associate I position to an Accounting Associate II position and transfers All Other to Personal Services to fund the reorganization.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$4,165	\$4,392
All Other	(\$4,165)	(\$4,392)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

**Bureau of Policy and Management 0258**

Initiative: Provides one-time funding for the purchase of replacement ballistic vests for the Bureau of Marine Patrol in fiscal year 2017-18.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$11,539	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,539	\$0

**Bureau of Policy and Management 0258**

Initiative: Transfers one Public Service Manager I position from the Department of Agriculture, Conservation and Forestry, Office of the Commissioner program, Other Special Revenue Funds to the Department of Marine Resources, Bureau of Policy and Management program, Federal Expenditures Fund and reorganizes the position as one Resource Management Coordinator position.

FEDERAL EXPENDITURES FUND	2017-18	2018-19

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$87,848	\$92,407
All Other	\$2,987	\$3,142
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$90,835	\$95,549

**Bureau of Policy and Management 0258**

Initiative: Transfers all positions and All Other funding from the Department of Agriculture, Conservation and Forestry, Maine Coastal Program, Federal Expenditures Fund to the Department of Marine Resources, Bureau of Policy and Management program, Federal Expenditures Fund.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$452,303	\$461,445
All Other	\$1,095,829	\$1,096,029
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$1,548,132	\$1,557,474

**Bureau of Policy and Management 0258**

Initiative: Transfers All Other funding from the Department of Agriculture, Conservation and Forestry, Coastal Program, Other Special Revenue Funds to the Department of Marine Resources, Bureau of Policy and Management program, Other Special Revenue Funds.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$150,500	\$150,500
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$150,500	\$150,500

**Bureau of Policy and Management 0258**

Initiative: Eliminates one Office Associate II position.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$44,912)	(\$47,152)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$44,912)	(\$47,152)

**Bureau of Policy and Management 0258**

Initiative: Transfers funding for one Paralegal Assistant position from the General Fund to Other Special Revenue Funds within the same program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$65,247)	(\$65,854)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$65,247)	(\$65,854)

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$65,247	\$65,854
All Other	\$2,218	\$2,239
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$67,465	\$68,093

**Bureau of Policy and Management 0258**

Initiative: Transfers funding for the Natural Resources Service Center charges from the General Fund to Other Special Revenue Funds within the same program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$115,886)	(\$111,984)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$115,886)	(\$111,984)
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$119,826	\$115,791
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$119,826	\$115,791

**Bureau of Policy and Management 0258**

Initiative: Provides funding for the Bureau of Policy and Management for contractual research around changing conditions and economic opportunities in the Coastal Fisheries, Research Management and Opportunity Fund.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$4,274	\$99,972
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,274	\$99,972

**Bureau of Policy and Management 0258**

Initiative: Eliminates 2 vacant seasonal Conservation Aide positions in the Bureau of Marine Science program and reduces funding for related All Other costs. Also continues one Marine Resource Scientist III position in the Bureau of Policy and Management program previously established by Financial Order 003931 F7 and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$96,346	\$101,074
All Other	\$3,276	\$3,437
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$99,622</b>	<b>\$104,511</b>

**Bureau of Policy and Management 0258**

Initiative: Transfers one Highway Laborer position from the Department of Transportation, Maintenance and Operations program, Highway Fund to the Department of Marine Resources, Bureau of Policy and Management program, Other Special Revenue Funds and reorganizes the position to a Resource Management Coordinator position.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$87,848	\$92,407
All Other	\$2,987	\$3,142
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$90,835</b>	<b>\$95,549</b>

**BUREAU OF POLICY AND MANAGEMENT 0258**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$910,549	\$933,848
All Other	\$1,145,417	\$1,149,319
<b>GENERAL FUND TOTAL</b>	<b>\$2,055,966</b>	<b>\$2,083,167</b>

**FEDERAL EXPENDITURES FUND**

POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$593,074	\$607,400
All Other	\$1,100,615	\$1,100,992
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,693,689</b>	<b>\$1,708,392</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	21.000	21.000
Personal Services	\$2,083,654	\$2,127,953
All Other	\$1,004,394	\$1,007,252
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$3,088,048</b>	<b>\$3,135,205</b>

**Bureau of Public Health Z154**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	18.000	18.000
Personal Services	\$1,372,980	\$1,418,204
All Other	\$335,534	\$335,534
<b>GENERAL FUND TOTAL</b>	<b>\$1,708,514</b>	<b>\$1,753,738</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$68,407	\$71,762
All Other	\$516,000	\$516,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$584,407</b>	<b>\$587,762</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$794,792	\$819,924
All Other	\$126,145	\$126,145
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$920,937</b>	<b>\$946,069</b>

**Bureau of Public Health Z154**

Initiative: Reorganizes one Microbiologist I position to a Microbiologist II position and transfers All Other to Personal Services to fund the reorganization.

GENERAL FUND	2017-18	2018-19
Personal Services	\$3,662	\$4,824
All Other	(\$3,662)	(\$4,824)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Bureau of Public Health Z154**

Initiative: Reorganizes one Marine Resource Specialist I position to a Laboratory Technician III position and transfers All Other to Personal Services to fund the reorganization.

GENERAL FUND	2017-18	2018-19
Personal Services	\$4,478	\$5,250
All Other	(\$4,478)	(\$5,250)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Bureau of Public Health Z154**

Initiative: Transfers funding for emerging public health and fisheries work from the Bureau of Policy and Management program to the Bureau of Public Health program.

GENERAL FUND	2017-18	2018-19
All Other	\$80,000	\$80,000
<b>GENERAL FUND TOTAL</b>	<b>\$80,000</b>	<b>\$80,000</b>

**Bureau of Public Health Z154**

Initiative: Transfers and reallocates the cost of one Marine Resource Scientist III position from 29% Other Special Revenue Funds and 71% Federal Expenditures Fund to 100% Federal Expenditures Fund within the same program and adjusts related All Other costs.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNCIL	1.000	1.000
Personal Services	\$27,939	\$29,312
All Other	\$950	\$997
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$28,889</b>	<b>\$30,309</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNCIL	(1.000)	(1.000)
Personal Services	(\$27,939)	(\$29,312)
All Other	(\$950)	(\$997)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$28,889)</b>	<b>(\$30,309)</b>

**Bureau of Public Health Z154**

Initiative: Reallocates the cost of one Marine Resource Scientist III position from 100% Other Special Revenue Funds to 75% Federal Expenditures Fund and 25% Other Special Revenue Funds within the same program and adjusts related All Other costs.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$85,953	\$86,828
All Other	\$2,922	\$2,952

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$88,875</b>	<b>\$89,780</b>
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	(\$85,953)	(\$86,828)
All Other	(\$2,922)	(\$2,952)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$88,875)</b>	<b>(\$89,780)</b>

**Bureau of Public Health Z154**

Initiative: Transfers funding for research contracts and related STA-CAP costs from the Bureau of Marine Science program to the Bureau of Public Health program.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$10,549	\$10,549

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$10,549</b>	<b>\$10,549</b>
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**Bureau of Public Health Z154**

Initiative: Provides funding for sample and analysis of bloodworms.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
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All Other	\$6,850	\$6,850
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,850	\$6,850

**Bureau of Public Health Z154**

Initiative: Reduces funding to align allocations with projected available resources.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$155,100)	(\$155,100)
FEDERAL EXPENDITURES FUND TOTAL	(\$155,100)	(\$155,100)
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$25,192)	(\$25,192)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$25,192)	(\$25,192)

**Bureau of Public Health Z154**

Initiative: Transfers funding for rent from the Bureau of Marine Science program to the Bureau of Public Health program within the same fund.

GENERAL FUND	2017-18	2018-19
All Other	\$20,000	\$20,000
GENERAL FUND TOTAL	\$20,000	\$20,000

**Bureau of Public Health Z154**

Initiative: Establishes one Seafood Technologist position to provide technical services work involving the provision for field consulting services to seafood processors in the State and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$68,845	\$72,389
All Other	\$2,341	\$2,461
OTHER SPECIAL REVENUE FUNDS TOTAL	\$71,186	\$74,850

**BUREAU OF PUBLIC HEALTH Z154**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	18.000	18.000
Personal Services	\$1,381,120	\$1,428,278
All Other	\$427,394	\$425,460
GENERAL FUND TOTAL	\$1,808,514	\$1,853,738
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$182,299	\$187,902
All Other	\$364,772	\$364,849
FEDERAL EXPENDITURES FUND TOTAL	\$547,071	\$552,751
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$749,745	\$776,173
All Other	\$116,821	\$116,864
OTHER SPECIAL REVENUE FUNDS TOTAL	\$866,566	\$893,037
<b>Marine Patrol - Bureau of 0029</b>		
Initiative: BASELINE BUDGET		
<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	39.000	39.000
Personal Services	\$4,008,171	\$4,096,364
All Other	\$547,489	\$547,489
GENERAL FUND TOTAL	\$4,555,660	\$4,643,853
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$399,362	\$413,049
All Other	\$125,578	\$125,578
FEDERAL EXPENDITURES FUND TOTAL	\$524,940	\$538,627

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	12,000	12,000
Personal Services	\$1,158,299	\$1,181,186
All Other	\$1,565,051	\$1,565,051
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,723,350	\$2,746,237

**Marine Patrol - Bureau of 0029**

Initiative: Eliminates one Marine Patrol Specialist position and reduces funding for related All Other costs in the Bureau of Marine Patrol program, Federal Expenditures Fund. Also continues one Marine Resource Scientist I position previously established by Financial Order 003380 F6 and continued by Financial Order 003863 F7 and provides funding for related All Other costs in the Bureau of Policy and Management program, Other Special Revenue Funds.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$93,878)	(\$98,170)
All Other	(\$3,192)	(\$3,338)
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	(\$97,070)	(\$101,508)

**Marine Patrol - Bureau of 0029**

Initiative: Reallocates the cost of one Public Service Coordinator I position from 100% Bureau of Policy and Management program, Other Special Revenue Funds to 60% Bureau of Policy and Management program, Other Special Revenue Funds and 40% Bureau of Marine Patrol program, Other Special Revenue Funds and adjusts related All Other cost.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$33,329	\$34,951
All Other	\$1,133	\$1,129
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$34,462	\$36,080

**Marine Patrol - Bureau of 0029**

Initiative: Reallocates the cost of one Office Specialist I position from 50% Bureau of Marine Patrol program, General Fund and 50% Bureau of Marine Patrol program, Other Special Revenue Funds to 50% Bureau of

Marine Patrol program, General Fund and 50% Bureau of Policy and Management program, Other Special Revenue Funds and adjusts related All Other costs.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	(\$32,249)	(\$33,858)
All Other	(\$1,096)	(\$1,151)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$33,345)	(\$35,009)

**Marine Patrol - Bureau of 0029**

Initiative: Provides funding for the approved reclassification of 2 Marine Mechanic Specialist positions from range 16 to range 18 and related All Other costs. This also reallocates the cost of these positions from 100% Bureau of Marine Patrol program, Other Special Revenue Funds to 90% Bureau of Marine Patrol program, Other Special Revenue Funds, and 10% Bureau of Policy and Management, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	(\$5,482)	(\$5,665)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$5,482)	(\$5,665)

**Marine Patrol - Bureau of 0029**

Initiative: Reduces funding to align allocations with projected available resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$201,630)	(\$201,630)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$201,630)	(\$201,630)

**Marine Patrol - Bureau of 0029**

Initiative: Reallocates 15% of the cost of 2 Marine Patrol Officer positions and one Marine Patrol Specialist position from the Bureau of Marine Patrol program, Federal Expenditures Fund to the Bureau of Policy and Management program, Other Special Revenue Funds and reallocates 15% of the cost of 6 Marine Patrol Officer positions and 2 Marine Patrol Specialist positions from the Bureau of Marine Patrol program, Other Special Revenue Funds to the Bureau of Policy and Management program, Other Special Revenue Funds. Also adjusts funding for related All Other costs.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	(\$45,818)	(\$47,227)
All Other	(\$1,558)	(\$1,606)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$47,376)</b>	<b>(\$48,833)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	(\$115,830)	(\$118,530)
All Other	(\$3,938)	(\$4,030)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$119,768)</b>	<b>(\$122,560)</b>

**MARINE PATROL - BUREAU OF 0029 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	39.000	39.000
Personal Services	\$4,008,171	\$4,096,364
All Other	\$547,489	\$547,489
<b>GENERAL FUND TOTAL</b>	<b>\$4,555,660</b>	<b>\$4,643,853</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$259,666	\$267,652
All Other	\$120,828	\$120,634
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$380,494</b>	<b>\$388,286</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	12.000	12.000
Personal Services	\$1,038,067	\$1,058,084
All Other	\$1,359,520	\$1,359,369
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,397,587</b>	<b>\$2,417,453</b>

**Marine Science, Management and Enforcement Fund Z181**

Initiative: BASELINE BUDGET		
OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**Marine Science, Management and Enforcement Fund Z181**

Initiative: Transfers funding for the general operation costs of the Marine Science, Management and Enforcement Fund from the Marine Science, Management and Enforcement Fund program to the Bureau of Policy and Management program within the same fund.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$500)	(\$500)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$500)</b>	<b>(\$500)</b>

**MARINE SCIENCE, MANAGEMENT AND ENFORCEMENT FUND Z181 PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

MARINE RESOURCES, DEPARTMENT OF DEPARTMENT TOTALS		
	2017-18	2018-19
<b>GENERAL FUND</b>	<b>\$10,517,334</b>	<b>\$10,698,902</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$4,979,774</b>	<b>\$5,039,065</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$8,329,720</b>	<b>\$8,458,570</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$23,826,828</b>	<b>\$24,196,537</b>

**Sec. A-51. Appropriations and allocations.**  
The following appropriations and allocations are made.

**MARITIME ACADEMY, MAINE**

**Maine Maritime Academy Scholarship Fund - Casino Z167**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$138,340	\$138,340
	\$138,340	\$138,340
OTHER SPECIAL REVENUE FUNDS TOTAL	\$138,340	\$138,340

**Maine Maritime Academy Scholarship Fund - Casino Z167**

Initiative: Provides funding to align allocations with dedicated revenue as projected by the December 2016 Revenue Forecasting Committee report.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$5,584	\$7,022
	\$5,584	\$7,022
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,584	\$7,022

**MAINE MARITIME ACADEMY SCHOLARSHIP FUND - CASINO Z167**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$143,924	\$145,362
	\$143,924	\$145,362
OTHER SPECIAL REVENUE FUNDS TOTAL	\$143,924	\$145,362

**Maritime Academy - Operations 0035**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$8,483,304	\$8,483,304
	\$8,483,304	\$8,483,304
GENERAL FUND TOTAL	\$8,483,304	\$8,483,304

**Maritime Academy - Operations 0035**

Initiative: Provides funding to cover increases in employee salaries and benefits and increases in existing undergraduate and graduate program costs.

GENERAL FUND	2017-18	2018-19
All Other	\$424,165	\$424,165
	\$424,165	\$424,165
GENERAL FUND TOTAL	\$424,165	\$424,165

**Maritime Academy - Operations 0035**

Initiative: Provides one-time funding to install new air filtration equipment, a dust collection system and ventilation system upgrades in Payson Hall in fiscal year 2017-18.

GENERAL FUND	2017-18	2018-19
All Other	\$150,000	\$0
	\$150,000	\$0
GENERAL FUND TOTAL	\$150,000	\$0

**Maritime Academy - Operations 0035**

Initiative: Provides one-time funding to update unit ventilators and replace existing pneumatic controls with digital controls throughout the library in Platz Hall in fiscal year 2017-18.

GENERAL FUND	2017-18	2018-19
All Other	\$158,000	\$0
	\$158,000	\$0
GENERAL FUND TOTAL	\$158,000	\$0

**Maritime Academy - Operations 0035**

Initiative: Provides one-time funding to replace outdated pneumatic controls in Leavitt Hall in fiscal year 2017-18.

GENERAL FUND	2017-18	2018-19
All Other	\$142,000	\$0
	\$142,000	\$0
GENERAL FUND TOTAL	\$142,000	\$0

**Maritime Academy - Operations 0035**

Initiative: Provides one-time funding to allow for the installation of central heat controls in Curtis Hall dormitory and replace old heating control valves that no longer fully close in fiscal year 2018-19.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$475,850
	\$0	\$475,850
GENERAL FUND TOTAL	\$0	\$475,850

**Maritime Academy - Operations 0035**

Initiative: Provides one-time funding to allow for upgrades and replacement of outdated kitchen equipment in the Student Union dining facility in fiscal year 2017-18.

GENERAL FUND	2017-18	2018-19
All Other	\$200,000	\$0
	\$200,000	\$0
GENERAL FUND TOTAL	\$200,000	\$0

**Maritime Academy - Operations 0035**

Initiative: Provides one-time funding to allow for renovations to the dining area of the Student Union dining facility in fiscal year 2018-19.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$1,367,841
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$1,367,841</b>

**Maritime Academy - Operations 0035**

Initiative: Reduces funding for the Maine Maritime Academy.

GENERAL FUND	2017-18	2018-19
All Other	(\$50,000)	(\$50,000)
<b>GENERAL FUND TOTAL</b>	<b>(\$50,000)</b>	<b>(\$50,000)</b>

**MARITIME ACADEMY - OPERATIONS 0035**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$9,507,469	\$10,701,160
<b>GENERAL FUND TOTAL</b>	<b>\$9,507,469</b>	<b>\$10,701,160</b>

**MARITIME ACADEMY, MAINE**

DEPARTMENT TOTALS	2017-18	2018-19
<b>GENERAL FUND</b>	<b>\$9,507,469</b>	<b>\$10,701,160</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$143,924</b>	<b>\$145,362</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$9,651,393</b>	<b>\$10,846,522</b>

**Sec. A-52. 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	2017-18	2018-19
All Other	\$69,331	\$69,331
<b>GENERAL FUND TOTAL</b>	<b>\$69,331</b>	<b>\$69,331</b>

**MAINE MUNICIPAL BOND BANK - MAINE RURAL WATER ASSOCIATION 0699**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$69,331	\$69,331
<b>GENERAL FUND TOTAL</b>	<b>\$69,331</b>	<b>\$69,331</b>

**Sec. A-53. Appropriations and allocations.**

The following appropriations and allocations are made.

**MUSEUM, MAINE STATE**

**Maine State Museum 0180**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	19.000	19.000
Personal Services	\$1,564,446	\$1,605,579
All Other	\$164,756	\$164,756
<b>GENERAL FUND TOTAL</b>	<b>\$1,729,202</b>	<b>\$1,770,335</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
POSITIONS - FTE COUNT	0.840	0.840
Personal Services	\$86,070	\$86,999
All Other	\$93,900	\$93,900
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$179,970</b>	<b>\$180,899</b>

**Maine State Museum 0180**

Initiative: Eliminates 3 part-time Customer Representative Assistant positions and one Inventory and Property Associate II Supervisor position and transfers Personal Services to All Other for the purpose of contracting for the operation of the Maine State Museum Store.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
POSITIONS - FTE COUNT	(0.840)	(0.840)
Personal Services	(\$81,517)	(\$86,999)

All Other	\$81,517	\$86,999
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

**Maine State Museum 0180**

Initiative: Provides funding to meet the current rates established by the Department of Administrative and Financial Services, Office of Information Technology.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$32,292	\$35,707
GENERAL FUND TOTAL	\$32,292	\$35,707

**MAINE STATE MUSEUM 0180**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	19.000	19.000
Personal Services	\$1,564,446	\$1,605,579
All Other	\$197,048	\$200,463
GENERAL FUND TOTAL	\$1,761,494	\$1,806,042

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
POSITIONS - FTE COUNT	0.000	0.000
Personal Services	\$4,553	\$0
All Other	\$175,417	\$180,899
OTHER SPECIAL REVENUE FUNDS TOTAL	\$179,970	\$180,899

**Maine State Museum - Operating Fund Z179**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$5,974	\$6,204
All Other	\$28,000	\$28,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$33,974	\$34,204

**MAINE STATE MUSEUM - OPERATING FUND Z179**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$5,974	\$6,204
All Other	\$28,000	\$28,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$33,974	\$34,204

**Research and Collection - Museum 0174**

Initiative: BASELINE BUDGET

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$130,606	\$130,606
FEDERAL EXPENDITURES FUND TOTAL	\$130,606	\$130,606

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$4,779	\$4,816
All Other	\$163,238	\$163,238

OTHER SPECIAL REVENUE FUNDS TOTAL	\$168,017	\$168,054
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**RESEARCH AND COLLECTION - MUSEUM 0174**

**PROGRAM SUMMARY**

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$130,606	\$130,606
FEDERAL EXPENDITURES FUND TOTAL	\$130,606	\$130,606

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$4,779	\$4,816
All Other	\$163,238	\$163,238

OTHER SPECIAL REVENUE FUNDS TOTAL	\$168,017	\$168,054
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**MUSEUM, MAINE STATE**

<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
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GENERAL FUND	\$1,761,494	\$1,806,042
FEDERAL EXPENDITURES FUND	\$130,606	\$130,606
OTHER SPECIAL REVENUE FUNDS	\$381,961	\$383,157
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$2,274,061</b>	<b>\$2,319,805</b>

**Sec. A-54. 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	2017-18	2018-19
All Other	\$7,950	\$7,950
<b>GENERAL FUND TOTAL</b>	<b>\$7,950</b>	<b>\$7,950</b>

**MAINE JOINT ENVIRONMENTAL TRAINING COORDINATING COMMITTEE 0980**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$7,950	\$7,950
<b>GENERAL FUND TOTAL</b>	<b>\$7,950</b>	<b>\$7,950</b>

**Sec. A-55. Appropriations and allocations.**

The following appropriations and allocations are made.

**PINE TREE LEGAL ASSISTANCE**

**Legal Assistance 0553**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$500,000	\$500,000
<b>GENERAL FUND TOTAL</b>	<b>\$500,000</b>	<b>\$500,000</b>

**LEGAL ASSISTANCE 0553**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$500,000	\$500,000

GENERAL FUND TOTAL	\$500,000	\$500,000
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**Sec. A-56. Appropriations and allocations.**

The following appropriations and allocations are made.

**POTATO BOARD, MAINE**

**Potato Board 0429**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$160,902	\$160,902
<b>GENERAL FUND TOTAL</b>	<b>\$160,902</b>	<b>\$160,902</b>
OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$1,586,129	\$1,586,129
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,586,129</b>	<b>\$1,586,129</b>

**POTATO BOARD 0429**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$160,902	\$160,902
<b>GENERAL FUND TOTAL</b>	<b>\$160,902</b>	<b>\$160,902</b>
OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$1,586,129	\$1,586,129
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,586,129</b>	<b>\$1,586,129</b>

**Sec. A-57. 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

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$10,030	\$10,030

FEDERAL EXPENDITURES	\$10,030	\$10,030
FUND TOTAL		
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	7.000	7.000
Personal Services	\$685,847	\$695,839
All Other	\$4,576,709	\$4,576,709
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,262,556	\$5,272,548

**Administrative Services - Professional and Financial Regulation 0094**

Initiative: Provides funding for an increase in technology costs and related STA-CAP charges.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$47,939	\$47,939
OTHER SPECIAL REVENUE FUNDS TOTAL	\$47,939	\$47,939

**Administrative Services - Professional and Financial Regulation 0094**

Initiative: Establishes one Public Service Executive I position in the Administrative Services - Professional and Financial Regulation program, Other Special Revenue Funds and provides funding in All Other to support the position.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$111,233	\$117,100
All Other	\$3,758	\$3,793
OTHER SPECIAL REVENUE FUNDS TOTAL	\$114,991	\$120,893

**Administrative Services - Professional and Financial Regulation 0094**

Initiative: Transfers one Public Service Manager I position from the Department of Administrative and Financial Services, Information Services program, Office of Information Services Fund to the Department of Professional and Financial Regulation, Administrative Services - Professional and Financial

Regulation Program, Other Special Revenue Funds and transfers All Other to Personal Services to fund the position. The employee retains all rights as a classified employee as well as all accrued fringe benefits, including but not limited to vacation and sick leave, health and life insurances, and retirement benefits.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$111,090	\$112,122
All Other	(\$125,389)	(\$125,383)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$14,299)	(\$13,261)

**Administrative Services - Professional and Financial Regulation 0094**

Initiative: Reduces funding to bring allocation in line with available contract resources projected annually.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$502,940)	(\$502,940)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$502,940)	(\$502,940)

**Administrative Services - Professional and Financial Regulation 0094**

Initiative: Allocates funds for the service center and STA-CAP charges associated with requiring individuals practicing midwifery in the State to be licensed by January 1, 2020.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$3,480	\$3,057
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,480	\$3,057

**ADMINISTRATIVE SERVICES - PROFESSIONAL AND FINANCIAL REGULATION 0094**

**PROGRAM SUMMARY**

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$10,030	\$10,030
FEDERAL EXPENDITURES FUND TOTAL	\$10,030	\$10,030

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$908,170	\$925,061
All Other	\$4,003,557	\$4,003,175

OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,911,727	\$4,928,236
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**Bureau of Consumer Credit Protection 0091**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	14.000	14.000
Personal Services	\$1,231,005	\$1,261,981
All Other	\$704,232	\$704,232

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,935,237	\$1,966,213
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**Bureau of Consumer Credit Protection 0091**

Initiative: Provides funding for an increase in technology costs and related STA-CAP charges.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$5,291	\$5,637

OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,291	\$5,637
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**Bureau of Consumer Credit Protection 0091**

Initiative: Provides funding for supplies, general operations and related STA-CAP charges.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$18,939	\$19,747

OTHER SPECIAL REVENUE FUNDS TOTAL	\$18,939	\$19,747
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**Bureau of Consumer Credit Protection 0091**

Initiative: Establishes one Consumer Credit Examiner position and provides funding for related STA-CAP charges.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$68,600	\$72,144
All Other	\$742	\$780

OTHER SPECIAL REVENUE FUNDS TOTAL	\$69,342	\$72,924
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**Bureau of Consumer Credit Protection 0091**

Initiative: Reduces funding to align allocations with projected available resources.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$35,641)	(\$35,539)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$35,641)	(\$35,539)
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**Bureau of Consumer Credit Protection 0091**

Initiative: Provides funding for travel to off-site examinations and related STA-CAP charges.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$71,263	\$71,263

OTHER SPECIAL REVENUE FUNDS TOTAL	\$71,263	\$71,263
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**BUREAU OF CONSUMER CREDIT PROTECTION 0091**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$1,299,605	\$1,334,125
All Other	\$764,826	\$766,120

OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,064,431	\$2,100,245
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**Dental Practice - Board of 0384**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$335,618	\$343,664

All Other	\$209,240	\$209,240
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$544,858	\$552,904

**Dental Practice - Board of 0384**

Initiative: Reorganizes one vacant Office Specialist I Supervisor position to one Consumer Assistance and Hearing Coordinator position and transfers All Other to Personal Services to fund the reorganization.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$6,124	\$6,460
All Other	(\$6,124)	(\$6,460)
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

**Dental Practice - Board of 0384**

Initiative: Provides funding for per diem payments for board and subcommittee dental practice members.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$3,540	\$3,540
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,540	\$3,540

**DENTAL PRACTICE - BOARD OF 0384**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$345,282	\$353,664
All Other	\$203,116	\$202,780
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$548,398	\$556,444

**Engineers - Board of Registration for Professional 0369**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$180,214	\$183,581

All Other	\$111,753	\$111,753
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$291,967	\$295,334

**Engineers - Board of Registration for Professional 0369**

Initiative: Provides one-time funding for an increase in technology costs and related STA-CAP charges in 2017-18.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$7,995	\$0
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,995	\$0

**ENGINEERS - BOARD OF REGISTRATION FOR PROFESSIONAL 0369**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$180,214	\$183,581
All Other	\$119,748	\$111,753
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$299,962	\$295,334

**Financial Institutions - Bureau of 0093**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	19.000	19.000
Personal Services	\$1,849,318	\$1,883,815
All Other	\$645,359	\$645,359
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,494,677	\$2,529,174

**FINANCIAL INSTITUTIONS - BUREAU OF 0093**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$180,214	\$183,581

POSITIONS - LEGISLATIVE COUNT	19,000	19,000
Personal Services	\$1,849,318	\$1,883,815
All Other	\$645,359	\$645,359
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,494,677</b>	<b>\$2,529,174</b>

**Insurance - Bureau of 0092**

Initiative: BASELINE BUDGET

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$10,000	\$10,000

FEDERAL EXPENDITURES FUND TOTAL	\$10,000	\$10,000
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	72,000	72,000
Personal Services	\$6,668,622	\$6,831,539
All Other	\$2,109,201	\$2,109,201

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$8,777,823</b>	<b>\$8,940,740</b>
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**Insurance - Bureau of 0092**

Initiative: Eliminates one vacant Senior Market Conduct Examiner position and reduces funding for related All Other costs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$81,489)	(\$85,387)
All Other	(\$963)	(\$1,009)

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$82,452)</b>	<b>(\$86,396)</b>
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**INSURANCE - BUREAU OF 0092**

**PROGRAM SUMMARY**

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$10,000	\$10,000

FEDERAL EXPENDITURES FUND TOTAL	\$10,000	\$10,000
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**OTHER SPECIAL REVENUE FUNDS**

POSITIONS - LEGISLATIVE COUNT	71,000	71,000
Personal Services	\$6,587,133	\$6,746,152
All Other	\$2,108,238	\$2,108,192

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$8,695,371</b>	<b>\$8,854,344</b>
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**Licensing and Enforcement 0352**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	55,500	55,500
Personal Services	\$4,441,670	\$4,542,865
All Other	\$2,111,460	\$2,111,460

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$6,553,130</b>	<b>\$6,654,325</b>
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**Licensing and Enforcement 0352**

Initiative: Eliminates one vacant part-time Office Specialist I position and one vacant part-time Office Assistant II position.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1,500)	(1,500)
Personal Services	(\$42,199)	(\$44,354)

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$42,199)</b>	<b>(\$44,354)</b>
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**Licensing and Enforcement 0352**

Initiative: Allocates funds for the costs associated with requiring individuals practicing midwifery in the State to be licensed by January 1, 2020. These costs include the per diem and All Other costs associated with adding 2 members to the Board of Complementary Health Care Providers and for contracted staffing services to assist the board in establishing the new licensing requirements for individuals practicing midwifery in the State.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$2,345	\$2,345
All Other	\$65,463	\$18,644
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$67,808</b>	<b>\$20,989</b>

**LICENSING AND ENFORCEMENT 0352**  
**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	54.000	54.000
Personal Services	\$4,401,816	\$4,500,856
All Other	\$2,176,923	\$2,130,104
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$6,578,739</b>	<b>\$6,630,960</b>

**Licensure in Medicine - Board of 0376**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
POSITIONS - FTE COUNT	0.770	0.770
Personal Services	\$916,115	\$949,511
All Other	\$741,132	\$741,132
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,657,247</b>	<b>\$1,690,643</b>

**Licensure in Medicine - Board of 0376**

Initiative: Reallocates the cost and related STA-CAP charges of one Consumer Assistant Specialist position from 100% Board of Licensure in Medicine program, Other Special Revenue Funds to 90% Board of Licensure in Medicine program, Other Special Revenue Funds and 10% Board of Osteopathic Licensure program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	(\$6,124)	(\$6,383)
All Other	(\$107)	(\$112)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$6,231)</b>	<b>(\$6,495)</b>

**LICENSURE IN MEDICINE - BOARD OF 0376**  
**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	10.000	10.000
POSITIONS - FTE COUNT	0.770	0.770
Personal Services	\$909,991	\$943,128
All Other	\$741,025	\$741,020

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,651,016</b>	<b>\$1,684,148</b>
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**Manufactured Housing Board 0351**

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$26,619	\$26,619
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$26,619</b>	<b>\$26,619</b>

**Manufactured Housing Board 0351**

Initiative: Reduces funding to align allocations with projected available resources.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$4,133)	(\$4,133)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$4,133)</b>	<b>(\$4,133)</b>

**MANUFACTURED HOUSING BOARD 0351**

**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$22,486	\$22,486
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$22,486</b>	<b>\$22,486</b>

**Nursing - Board of 0372**

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$10,144	\$10,144

FEDERAL EXPENDITURES FUND TOTAL	\$10,144	\$10,144
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$604,848	\$617,239
All Other	\$479,548	\$479,548
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,084,396	\$1,096,787

**Nursing - Board of 0372**

Initiative: Provides funding for legal services and related STA-CAP charges.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$77,655	\$82,701
OTHER SPECIAL REVENUE FUNDS TOTAL	\$77,655	\$82,701

**NURSING - BOARD OF 0372 PROGRAM SUMMARY**

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$10,144	\$10,144
FEDERAL EXPENDITURES FUND TOTAL	\$10,144	\$10,144
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	8.000	8.000
Personal Services	\$604,848	\$617,239
All Other	\$557,203	\$562,249
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,162,051	\$1,179,488

**Office of Securities 0943**

Initiative: BASELINE BUDGET

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$10,113	\$10,113

FEDERAL EXPENDITURES FUND TOTAL	\$10,113	\$10,113
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$1,528,730	\$1,549,968
All Other	\$452,015	\$452,015
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,980,745	\$2,001,983

**Office of Securities 0943**

Initiative: Provides funding for the approved reorganization of one Securities Examiner-In-Charge position to a Public Service Manager II position and related STA-CAP charges.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$10,641	\$14,668
All Other	\$172	\$238
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,813	\$14,906

**Office of Securities 0943**

Initiative: Reduces funding to align allocations with projected available resources.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$30,000)	(\$30,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$30,000)	(\$30,000)

**OFFICE OF SECURITIES 0943 PROGRAM SUMMARY**

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$10,113	\$10,113
FEDERAL EXPENDITURES FUND TOTAL	\$10,113	\$10,113
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>

POSITIONS - LEGISLATIVE COUNT	16.000	16.000
Personal Services	\$1,539,371	\$1,564,636
All Other	\$422,187	\$422,253
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,961,558</b>	<b>\$1,986,889</b>

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$78,068	\$78,686
All Other	\$151,624	\$151,624
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$229,692</b>	<b>\$230,310</b>

**Optometry - Board of 0385**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$48,313	\$48,783
All Other	\$28,044	\$28,044
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$76,357</b>	<b>\$76,827</b>

**Osteopathic Licensure - Board of 0383**

Initiative: Reallocates the cost and related STA-CAP charges of one Consumer Assistant Specialist position from 100% Board of Licensure in Medicine program, Other Special Revenue Funds to 90% Board of Licensure in Medicine program, Other Special Revenue Funds and 10% Board of Osteopathic Licensure program, Other Special Revenue Funds.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$6,124	\$6,383
All Other	\$145	\$151
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$6,269</b>	<b>\$6,534</b>

**Optometry - Board of 0385**

Initiative: Provides funding for out-of-state travel and related STA-CAP charges.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$6,369	\$6,369
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$6,369</b>	<b>\$6,369</b>

**Osteopathic Licensure - Board of 0383**

Initiative: Provides funding for increased professional services contracts and related STA-CAP charges.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$10,236	\$10,236
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$10,236</b>	<b>\$10,236</b>

**OPTOMETRY - BOARD OF 0385  
PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$48,313	\$48,783
All Other	\$34,413	\$34,413
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$82,726</b>	<b>\$83,196</b>

**Osteopathic Licensure - Board of 0383**

Initiative: Provides one-time funding for the technology costs associated with a website update and related STA-CAP charges in fiscal year 2017-18.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$5,118	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$5,118</b>	<b>\$0</b>

**Osteopathic Licensure - Board of 0383**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
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**Osteopathic Licensure - Board of 0383**

Initiative: Provides funding for general operations costs associated with rulemaking, board member travel and related STA-CAP charges.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$5,118	\$5,118
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,118	\$5,118

**Osteopathic Licensure - Board of 0383**

Initiative: Provides funding for an increase in legal services and related STA-CAP charges.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$2,196	\$1,371
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,196	\$1,371

**OSTEOPATHIC LICENSURE - BOARD OF 0383 PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$84,192	\$85,069
All Other	\$174,437	\$168,500
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$258,629	\$253,569

<b>PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
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<b>FEDERAL EXPENDITURES FUND</b>	<b>\$62,773</b>	<b>\$62,773</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$30,709,285</b>	<b>\$31,082,027</b>

<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$30,772,058</b>	<b>\$31,144,800</b>
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**Sec. A-58. 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

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	9,000	9,000
Personal Services	\$1,142,736	\$1,166,795
All Other	\$149,088	\$149,088
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$1,291,824	\$1,315,883

**OFFICE OF PROGRAM EVALUATION AND GOVERNMENT ACCOUNTABILITY 0976 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	9,000	9,000
Personal Services	\$1,142,736	\$1,166,795
All Other	\$149,088	\$149,088
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$1,291,824	\$1,315,883

**Sec. A-59. 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

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$6,000	\$6,000
All Other	\$80,565	\$80,565
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$86,565	\$86,565

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$3,000	\$3,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,000	\$3,000

**PROPERTY TAX REVIEW - STATE BOARD OF 0357 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$6,000	\$6,000
All Other	\$80,565	\$80,565

GENERAL FUND TOTAL	\$86,565	\$86,565
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$3,000	\$3,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,000	\$3,000

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$88,602	\$89,243
All Other	\$1,399,068	\$1,399,068
FEDERAL EXPENDITURES FUND TOTAL	\$1,487,670	\$1,488,311

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$185,475	\$189,378
All Other	\$106,278	\$106,278
OTHER SPECIAL REVENUE FUNDS TOTAL	\$291,753	\$295,656

**Sec. A-60. Appropriations and allocations.**  
The following appropriations and allocations are made.

**PUBLIC BROADCASTING CORPORATION, MAINE**

**Maine Public Broadcasting Corporation 0033**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,500,000	\$1,500,000
GENERAL FUND TOTAL	\$1,500,000	\$1,500,000

**Administration - Public Safety 0088**

Initiative: Provides funding for general and administrative costs.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$116,356	\$136,814
GENERAL FUND TOTAL	\$116,356	\$136,814

**MAINE PUBLIC BROADCASTING CORPORATION 0033**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,500,000	\$1,500,000
GENERAL FUND TOTAL	\$1,500,000	\$1,500,000

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$128,674	\$131,929
OTHER SPECIAL REVENUE FUNDS TOTAL	\$128,674	\$131,929

**Sec. A-61. Appropriations and allocations.**  
The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF**

**Administration - Public Safety 0088**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$204,919	\$208,130
All Other	\$1,271,876	\$1,271,876
GENERAL FUND TOTAL	\$1,476,795	\$1,480,006

**Administration - Public Safety 0088**

Initiative: Provides Personal Services funding for the approved reorganization of one Office Associate II position to a Senior Contract/Grant Specialist position in the Highway Safety DPS program, Federal Expenditures Fund; provides All Other funding for DICAP costs in the Public Safety Administration program, General Fund; and reduces All Other funding for costs no longer needed to support the position in the Highway Safety DPS program, Highway Fund.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$6,266	\$6,393
GENERAL FUND TOTAL	\$6,266	\$6,393

**FEDERAL EXPENDITURES FUND**

**Administration - Public Safety 0088**

Initiative: Provides funding for the approved reorganization of one Public Service Executive II position from range 34 to range 36.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$5,692	\$5,701
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$5,692</b>	<b>\$5,701</b>

**Administration - Public Safety 0088**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Information Technology increase in technology costs.

GENERAL FUND	2017-18	2018-19
All Other	\$273	\$273
<b>GENERAL FUND TOTAL</b>	<b>\$273</b>	<b>\$273</b>
FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$360	\$360
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$360</b>	<b>\$360</b>

**Administration - Public Safety 0088**

Initiative: Eliminates drug treatment grant funding.

GENERAL FUND	2017-18	2018-19
All Other	(\$1,050,000)	(\$1,050,000)
<b>GENERAL FUND TOTAL</b>	<b>(\$1,050,000)</b>	<b>(\$1,050,000)</b>

**Administration - Public Safety 0088**

Initiative: Reduces funding for grants to the fiscal year 2016-17 baseline budget amount.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$142,370)	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$142,370)</b>	<b>\$0</b>

**ADMINISTRATION - PUBLIC SAFETY 0088 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
<b>GENERAL FUND TOTAL</b>	<b>\$273</b>	<b>\$273</b>

POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$204,919	\$208,130
All Other	\$344,771	\$365,356

<b>GENERAL FUND TOTAL</b>	<b>\$549,690</b>	<b>\$573,486</b>
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**FEDERAL EXPENDITURES FUND**

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$88,602	\$89,243
All Other	\$1,257,058	\$1,399,428

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,345,660</b>	<b>\$1,488,671</b>
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**OTHER SPECIAL REVENUE FUNDS**

POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$191,167	\$195,079
All Other	\$234,952	\$238,207

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$426,119</b>	<b>\$433,286</b>
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**Background Checks - Certified Nursing Assistants 0992**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$78,696	\$79,536
All Other	\$11,683	\$11,683

<b>GENERAL FUND TOTAL</b>	<b>\$90,379</b>	<b>\$91,219</b>
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**Background Checks - Certified Nursing Assistants 0992**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Information Technology increase in technology costs.

GENERAL FUND	2017-18	2018-19
All Other	\$408	\$408

<b>GENERAL FUND TOTAL</b>	<b>\$408</b>	<b>\$408</b>
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**BACKGROUND CHECKS - CERTIFIED NURSING ASSISTANTS 0992**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$78,696	\$79,536
All Other	\$12,091	\$12,091
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$90,787	\$91,627

**Capitol Police - Bureau of 0101**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	14.500	14.500
Personal Services	\$1,108,580	\$1,133,099
All Other	\$71,039	\$71,039
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$1,179,619	\$1,204,138

**OTHER SPECIAL REVENUE FUNDS**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$424,542	\$433,874
All Other	\$32,076	\$32,076
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$456,618	\$465,950

**Capitol Police - Bureau of 0101**

Initiative: Establishes one Office Associate II position and provides funding in All Other to support the position.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$62,423	\$65,587
All Other	\$2,542	\$2,542
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$64,965	\$68,129

**Capitol Police - Bureau of 0101**

Initiative: Provides funding for the approved reclassification of one Capitol Police Sergeant position to a Capitol Police Lieutenant position.

GENERAL FUND	2017-18	2018-19
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Personal Services	\$9,556	\$9,569
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$9,556	\$9,569

**Capitol Police - Bureau of 0101**

Initiative: Provides funding to purchase ammunition.

GENERAL FUND	2017-18	2018-19
All Other	\$3,000	\$3,000
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$3,000	\$3,000

**Capitol Police - Bureau of 0101**

Initiative: Provides funding for the increased cost in the monthly lease of 3 vehicles that were upgraded to newer models and one vehicle that had a change in rates.

GENERAL FUND	2017-18	2018-19
All Other	\$5,152	\$5,152
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$5,152	\$5,152

**Capitol Police - Bureau of 0101**

Initiative: Provides funding for the lease of new vehicles from Central Fleet to replace older models.

GENERAL FUND	2017-18	2018-19
All Other	\$11,562	\$11,562
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$11,562	\$11,562

**Capitol Police - Bureau of 0101**

Initiative: Provides funding for cell phones for the Capitol Police Lieutenant and Sergeant positions.

GENERAL FUND	2017-18	2018-19
All Other	\$1,250	\$1,100
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$1,250	\$1,100

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$1,276	\$1,123
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,276	\$1,123
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**Capitol Police - Bureau of 0101**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Information Technology increase in technology costs.

GENERAL FUND	2017-18	2018-19
All Other	\$8,003	\$8,564
<b>GENERAL FUND TOTAL</b>	<b>\$8,003</b>	<b>\$8,564</b>
OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$3,962	\$3,594
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$3,962</b>	<b>\$3,594</b>

**CAPITOL POLICE - BUREAU OF 0101 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	15.500	15.500
Personal Services	\$1,180,559	\$1,208,255
All Other	\$102,548	\$102,959
<b>GENERAL FUND TOTAL</b>	<b>\$1,283,107</b>	<b>\$1,311,214</b>
OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$424,542	\$433,874
All Other	\$37,314	\$36,793
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$461,856</b>	<b>\$470,667</b>

**Computer Crimes 0048**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$339,686	\$346,829
All Other	\$350,803	\$350,803
<b>GENERAL FUND TOTAL</b>	<b>\$690,489</b>	<b>\$697,632</b>

**Computer Crimes 0048**

Initiative: Transfers and reallocates one Computer Forensic Analyst position from 100% Other Special Revenue Funds in the State Police program to 30% Other Special Revenue Funds in the State Police program and 70% General Fund in the Computer Crimes program. Also reduces related STA-CAP costs.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$74,207	\$74,720
<b>GENERAL FUND TOTAL</b>	<b>\$74,207</b>	<b>\$74,720</b>

**Computer Crimes 0048**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Information Technology increase in technology costs.

GENERAL FUND	2017-18	2018-19
All Other	\$115,267	\$116,267
<b>GENERAL FUND TOTAL</b>	<b>\$115,267</b>	<b>\$116,267</b>

**Computer Crimes 0048**

Initiative: Provides funding for the approved range change of 2 Computer Forensic Analyst positions from range 25 to range 27, effective January 1, 2015.

GENERAL FUND	2017-18	2018-19
Personal Services	\$5,415	\$5,424
<b>GENERAL FUND TOTAL</b>	<b>\$5,415</b>	<b>\$5,424</b>

**Computer Crimes 0048**

Initiative: Establishes 2 Computer Forensic Analyst positions and provides funding in All Other to support the positions.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$174,248	\$182,510
All Other	\$86,334	\$6,334
<b>GENERAL FUND TOTAL</b>	<b>\$260,582</b>	<b>\$188,844</b>

**Computer Crimes 0048**

Initiative: Provides funding for Computer Forensic Analyst position overtime pay.

GENERAL FUND	2017-18	2018-19
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Personal Services	\$31,795	\$32,792
<b>GENERAL FUND TOTAL</b>	<b>\$31,795</b>	<b>\$32,792</b>

**COMPUTER CRIMES 0048  
PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$625,351	\$642,275
All Other	\$552,404	\$473,404
<b>GENERAL FUND TOTAL</b>	<b>\$1,177,755</b>	<b>\$1,115,679</b>

**Consolidated Emergency Communications Z021**

Initiative: BASELINE BUDGET

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	67.000	67.000
Personal Services	\$5,867,576	\$6,042,189
All Other	\$819,111	\$819,111
<b>CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL</b>	<b>\$6,686,687</b>	<b>\$6,861,300</b>

**Consolidated Emergency Communications Z021**

Initiative: Eliminates one vacant Emergency Communications Specialist Supervisor position and one Emergency Communications Specialist position and reduces funding for related All Other costs.

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$195,107)	(\$199,751)
All Other	(\$4,127)	(\$4,225)
<b>CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL</b>	<b>(\$199,234)</b>	<b>(\$203,976)</b>

**Consolidated Emergency Communications Z021**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Information Technology increase in technology costs.

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2017-18	2018-19
All Other	\$8,945	\$14,747
<b>CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL</b>	<b>\$8,945</b>	<b>\$14,747</b>

**Consolidated Emergency Communications Z021**

Initiative: Reduces funding to the fiscal year 2016-17 baseline budget amount.

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2017-18	2018-19
All Other	(\$85,276)	(\$212,940)
<b>CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL</b>	<b>(\$85,276)</b>	<b>(\$212,940)</b>

**CONSOLIDATED EMERGENCY  
COMMUNICATIONS Z021**

**PROGRAM SUMMARY**

CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	65.000	65.000
Personal Services	\$5,672,469	\$5,842,438
All Other	\$738,653	\$616,693
<b>CONSOLIDATED EMERGENCY COMMUNICATIONS FUND TOTAL</b>	<b>\$6,411,122</b>	<b>\$6,459,131</b>

**Criminal Justice Academy 0290**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$559,119	\$559,119

	2017-18	2018-19
GENERAL FUND TOTAL	\$559,119	\$559,119
<b>FEDERAL EXPENDITURES FUND</b>		
All Other	\$25,000	\$25,000
FEDERAL EXPENDITURES FUND TOTAL	\$25,000	\$25,000
<b>OTHER SPECIAL REVENUE FUNDS</b>		
POSITIONS - LEGISLATIVE COUNT	11,000	11,000
Personal Services	\$971,633	\$990,139
All Other	\$437,777	\$437,777
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,409,410	\$1,427,916

**Criminal Justice Academy 0290**

Initiative: Provides funding to continue operations at the Maine Criminal Justice Academy at current levels.

	2017-18	2018-19
GENERAL FUND		
All Other	\$117,715	\$133,859
GENERAL FUND TOTAL	\$117,715	\$133,859
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	(\$135,281)	(\$153,833)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$135,281)	(\$153,833)

**Criminal Justice Academy 0290**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Information Technology increase in technology costs.

	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	\$1,722	\$1,722
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,722	\$1,722

**CRIMINAL JUSTICE ACADEMY 0290 PROGRAM SUMMARY**

	2017-18	2018-19
GENERAL FUND		
All Other	\$676,834	\$692,978
GENERAL FUND TOTAL	\$676,834	\$692,978
<b>FEDERAL EXPENDITURES FUND</b>		
All Other	\$25,000	\$25,000
FEDERAL EXPENDITURES FUND TOTAL	\$25,000	\$25,000
<b>OTHER SPECIAL REVENUE FUNDS</b>		
POSITIONS - LEGISLATIVE COUNT	11,000	11,000
Personal Services	\$971,633	\$990,139
All Other	\$304,218	\$285,666
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,275,851	\$1,275,805

**Division of Building Codes and Standards Z073**

Initiative: BASELINE BUDGET

	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$123,575	\$124,612
All Other	\$39,086	\$39,086
OTHER SPECIAL REVENUE FUNDS TOTAL	\$162,661	\$163,698

**Division of Building Codes and Standards Z073**

Initiative: Eliminates one Office Specialist I position and associated All Other costs.

	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$68,160)	(\$68,771)
All Other	(\$38,409)	(\$38,404)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$106,569)	(\$107,175)

**Division of Building Codes and Standards Z073**

Initiative: Reallocates one Public Safety License Inspection Supervisor position and related All Other costs from 50% Division of Building Codes and Standards program and 50% Office of the State Fire Marshal program to 100% Office of the State Fire Marshal program within the same fund.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	(\$55,415)	(\$55,841)
All Other	(\$677)	(\$682)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$56,092)</b>	<b>(\$56,523)</b>

**DIVISION OF BUILDING CODES AND STANDARDS Z073**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$0	\$0
All Other	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Drug Enforcement Agency 0388**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$241,122	\$246,309
All Other	\$5,226,974	\$5,226,974
<b>GENERAL FUND TOTAL</b>	<b>\$5,468,096</b>	<b>\$5,473,283</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$933,432	\$933,432
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$933,432</b>	<b>\$933,432</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$617,209	\$617,209

OTHER SPECIAL REVENUE FUNDS TOTAL	\$617,209	\$617,209
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**Drug Enforcement Agency 0388**

Initiative: Transfers funding for drug enforcement forfeiture funds from Other Special Revenue Funds to the Federal Expenditures Fund to reflect the activity in the appropriate fund.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$190,892	\$190,892
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$190,892</b>	<b>\$190,892</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$192,074)	(\$192,074)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$192,074)	(\$192,074)
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**Drug Enforcement Agency 0388**

Initiative: Reduces funding for the purpose of processing crime scenes involving the seizure of methamphetamine laboratories and dump sites.

GENERAL FUND	2017-18	2018-19
All Other	(\$100,000)	(\$100,000)
<b>GENERAL FUND TOTAL</b>	<b>(\$100,000)</b>	<b>(\$100,000)</b>

**Drug Enforcement Agency 0388**

Initiative: Provides funding for the increase in the cost of contracted agent services.

GENERAL FUND	2017-18	2018-19
All Other	\$837,778	\$837,778
<b>GENERAL FUND TOTAL</b>	<b>\$837,778</b>	<b>\$837,778</b>

**Drug Enforcement Agency 0388**

Initiative: Provides funding for the acquisition of software to more effectively and efficiently manage sources of information for the Drug Enforcement Agency program.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$132,453	\$132,453

FEDERAL EXPENDITURES FUND TOTAL	\$132,453	\$132,453
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**Drug Enforcement Agency 0388**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Information Technology increase in technology costs.

GENERAL FUND	2017-18	2018-19
All Other	\$56,345	\$56,288
<b>GENERAL FUND TOTAL</b>	<b>\$56,345</b>	<b>\$56,288</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$8,887	\$8,887

FEDERAL EXPENDITURES FUND TOTAL	\$8,887	\$8,887
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**Drug Enforcement Agency 0388**

Initiative: Provides funding for the replacement and maintenance of the records management system.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$0	\$49,162

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$49,162
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**DRUG ENFORCEMENT AGENCY 0388 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$241,122	\$246,309
All Other	\$6,021,097	\$6,021,040
<b>GENERAL FUND TOTAL</b>	<b>\$6,262,219</b>	<b>\$6,267,349</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$1,265,664	\$1,265,664

FEDERAL EXPENDITURES FUND TOTAL	\$1,265,664	\$1,265,664
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$425,135	\$474,297

OTHER SPECIAL REVENUE FUNDS TOTAL	\$425,135	\$474,297
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**Emergency Medical Services 0485**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$435,691	\$447,181
All Other	\$612,916	\$612,916

GENERAL FUND TOTAL	\$1,048,607	\$1,060,097
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$89,634	\$90,761
All Other	\$62,286	\$62,286

FEDERAL EXPENDITURES FUND TOTAL	\$151,920	\$153,047
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$81,500	\$82,131
All Other	\$88,994	\$88,994

OTHER SPECIAL REVENUE FUNDS TOTAL	\$170,494	\$171,125
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**Emergency Medical Services 0485**

Initiative: Adjusts funding to align allocation with existing resources.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$26,920)	(\$28,047)

FEDERAL EXPENDITURES FUND TOTAL	(\$26,920)	(\$28,047)
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**Emergency Medical Services 0485**

Initiative: Provides funding for per diem payments to members of the Emergency Medical Services' Board and members of the Gambling Control Board.

GENERAL FUND	2017-18	2018-19
Personal Services	\$2,040	\$2,040
<b>GENERAL FUND TOTAL</b>	<b>\$2,040</b>	<b>\$2,040</b>

**Emergency Medical Services 0485**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Information Technology increase in technology costs.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$1,206	\$1,206
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,206</b>	<b>\$1,206</b>

**Emergency Medical Services 0485**

Initiative: Reorganizes one Emergency Medical Services Licensing Agent position to a Public Health Educator III position and reallocates the position from 100% General Fund to 60% General Fund and 40% Other Special Revenue Funds all in the Emergency Medical Services program. Also eliminates one vacant Public Health Educator III funded by the Emergency Medical Services program, Other Special Revenue Funds.

GENERAL FUND	2017-18	2018-19
Personal Services	(\$31,421)	(\$32,744)
<b>GENERAL FUND TOTAL</b>	<b>(\$31,421)</b>	<b>(\$32,744)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$47,004)	(\$46,143)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$47,004)</b>	<b>(\$46,143)</b>

**EMERGENCY MEDICAL SERVICES 0485**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5,000	5,000
Personal Services	\$406,310	\$416,477

All Other	\$612,916	\$612,916
<b>GENERAL FUND TOTAL</b>	<b>\$1,019,226</b>	<b>\$1,029,393</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$89,634	\$90,761
All Other	\$35,366	\$34,239

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$125,000</b>	<b>\$125,000</b>
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	0.000
Personal Services	\$34,496	\$35,988
All Other	\$90,200	\$90,200

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$124,696</b>	<b>\$126,188</b>
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**Fire Marshal - Office of 0327**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$282,301	\$291,653
All Other	\$33,715	\$33,715

<b>GENERAL FUND TOTAL</b>	<b>\$316,016</b>	<b>\$325,368</b>
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$101,675	\$101,675
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$101,675</b>	<b>\$101,675</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	36,000	36,000
Personal Services	\$3,718,041	\$3,777,224
All Other	\$778,612	\$778,612

OTHER SPECIAL	\$4,496,653	\$4,555,836
REVENUE FUNDS TOTAL		

**Fire Marshal - Office of 0327**

Initiative: Provides funding to purchase one sport utility vehicle, 2 sedans and 3 pickup trucks in fiscal year 2017-18 and 3 sedans and 2 pickup trucks in fiscal year 2018-19.

GENERAL FUND	2017-18	2018-19
Capital Expenditures	\$0	\$33,150
GENERAL FUND TOTAL	\$0	\$33,150

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Capital Expenditures	\$171,859	\$96,486

OTHER SPECIAL REVENUE FUNDS TOTAL	\$171,859	\$96,486
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**Fire Marshal - Office of 0327**

Initiative: Reduces funding for professional services, rent and minor equipment related to nonrenewal of a conference room lease.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$44,538)	(\$44,538)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$44,538)	(\$44,538)
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**Fire Marshal - Office of 0327**

Initiative: Reduces funding for premium overtime pay for Public Safety Inspector II positions and Public Safety Inspector III positions in the Fire Marshal - Office of program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	(\$62,582)	(\$63,981)
All Other	(\$765)	(\$782)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$63,347)	(\$64,763)
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**Fire Marshal - Office of 0327**

Initiative: Transfers 2 Fire Investigator positions from Other Special Revenue Funds to the General Fund within the same program.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$230,808	\$232,627

GENERAL FUND TOTAL	\$230,808	\$232,627
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$230,808)	(\$232,627)
All Other	(\$2,820)	(\$2,843)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$233,628)	(\$235,470)
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**Fire Marshal - Office of 0327**

Initiative: Reallocates one Public Safety License Inspection Supervisor position and related All Other costs from 50% Division of the Uniform Building Codes and Standards program and 50% Fire Marshal - Office of program to 100% Fire Marshal - Office of program within the same fund.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$55,415	\$55,841
All Other	\$677	\$682

OTHER SPECIAL REVENUE FUNDS TOTAL	\$56,092	\$56,523
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**Fire Marshal - Office of 0327**

Initiative: Eliminates one vacant Office Assistant II position and reduces funding for related All Other costs.

GENERAL FUND	2017-18	2018-19
Personal Services	(\$28,375)	(\$29,798)

GENERAL FUND TOTAL	(\$28,375)	(\$29,798)
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$28,381)	(\$29,803)
All Other	(\$347)	(\$364)

OTHER SPECIAL	(\$28,728)	(\$30,167)
REVENUE FUNDS TOTAL		

**Fire Marshal - Office of 0327**

Initiative: Provides funding due to increased costs in Attorney General services.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$4,907	\$6,722

OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,907	\$6,722
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**Fire Marshal - Office of 0327**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Information Technology increase in technology costs.

GENERAL FUND	2017-18	2018-19
All Other	\$4,156	\$4,156
GENERAL FUND TOTAL	\$4,156	\$4,156

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$5,829	\$6,007
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,829	\$6,007

**Fire Marshal - Office of 0327**

Initiative: Adjusts funding to align allocation with existing resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$88,577	\$86,658
OTHER SPECIAL REVENUE FUNDS TOTAL	\$88,577	\$86,658

**Fire Marshal - Office of 0327**

Initiative: Provides funding for the increase in rates in dispatch services.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$15,163	\$17,180

OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,163	\$17,180
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**Fire Marshal - Office of 0327**

Initiative: Provides funding for the replacement and maintenance of the records management system.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$0	\$11,267

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$11,267
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**FIRE MARSHAL - OFFICE OF 0327**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$484,734	\$494,482
All Other	\$37,871	\$37,871
Capital Expenditures	\$0	\$33,150
GENERAL FUND TOTAL	\$522,605	\$565,503

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$101,675	\$101,675
FEDERAL EXPENDITURES FUND TOTAL	\$101,675	\$101,675

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	33.000	33.000
Personal Services	\$3,451,685	\$3,506,654
All Other	\$845,295	\$858,601
Capital Expenditures	\$171,859	\$96,486

OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,468,839	\$4,461,741
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**Gambling Control Board Z002**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	18,000	18,000
Personal Services	\$1,409,968	\$1,434,517
All Other	\$782,534	\$782,534
<b>GENERAL FUND TOTAL</b>	<b>\$2,192,502</b>	<b>\$2,217,051</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$5,147,305	\$5,147,305
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$5,147,305</b>	<b>\$5,147,305</b>

**Gambling Control Board Z002**

Initiative: Transfers All Other funding for the Gambling Control Board from the General Fund to Other Special Revenue Funds in the same program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$782,534)	(\$782,534)
<b>GENERAL FUND TOTAL</b>	<b>(\$782,534)</b>	<b>(\$782,534)</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$782,534	\$782,534
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$782,534</b>	<b>\$782,534</b>

**Gambling Control Board Z002**

Initiative: Provides funding for per diem payments to members of the Emergency Medical Services' Board and members of the Gambling Control Board.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$3,960	\$3,960
<b>GENERAL FUND TOTAL</b>	<b>\$3,960</b>	<b>\$3,960</b>

**Gambling Control Board Z002**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Information Technology increase in technology costs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$1,780	\$1,780

OTHER SPECIAL	\$1,780	\$1,780
<b>REVENUE FUNDS TOTAL</b>		

**Gambling Control Board Z002**

Initiative: Adjusts funding to align allocations with projected revenues provided by the Revenue Forecasting Committee.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$28,039)	(\$22,045)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$28,039)</b>	<b>(\$22,045)</b>

**Gambling Control Board Z002**

Initiative: Eliminates one vacant State Police Detective position.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$119,202)	(\$124,683)
<b>GENERAL FUND TOTAL</b>	<b>(\$119,202)</b>	<b>(\$124,683)</b>

**Gambling Control Board Z002**

Initiative: Transfers one Public Safety Inspector I position from the Licensing and Enforcement - Public Safety program, Other Special Revenue Funds to the Gambling Control Board program, Other Special Revenue Funds and one Office Associate II position from Other Special Revenue Funds to the General Fund in the Licensing and Enforcement - Public Safety program. Also eliminates one Public Safety Inspector I position from the Licensing and Enforcement - Public Safety program, Other Special Revenue Funds.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$66,206	\$67,660
All Other	\$40,623	\$31,996
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$106,829</b>	<b>\$99,656</b>

**GAMBLING CONTROL BOARD Z002 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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POSITIONS - LEGISLATIVE COUNT	17.000	17.000
Personal Services	\$1,294,726	\$1,313,794
All Other	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$1,294,726</b>	<b>\$1,313,794</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$66,206	\$67,660
All Other	\$5,944,203	\$5,941,570
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$6,010,409</b>	<b>\$6,009,230</b>

**Highway Safety DPS 0457**

Initiative: BASELINE BUDGET

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$440,926	\$455,914
All Other	\$2,516,581	\$2,516,581
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,957,507</b>	<b>\$2,972,495</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$25,690	\$26,765
All Other	\$240,787	\$240,787
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$266,477</b>	<b>\$267,552</b>

**Highway Safety DPS 0457**

Initiative: Provides Personal Services funding for the approved reorganization of one Office Associate II position to a Senior Contract/Grant Specialist position in the Highway Safety DPS program, Federal Expenditures Fund; provides All Other funding for DICAP costs in the Public Safety Administration program, General Fund; and reduces All Other funding for costs no longer needed to support the position in the Highway Safety DPS program, Highway Fund.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$10,187	\$13,206
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$10,187</b>	<b>\$13,206</b>

**Highway Safety DPS 0457**

Initiative: Adjusts funding to align allocation with existing resources.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$121,054)	(\$122,156)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$121,054)</b>	<b>(\$122,156)</b>

**Highway Safety DPS 0457**

Initiative: Reduces funding related to the impaired driving programs to the fiscal year 2016-17 baseline budget amount.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$500,000)	(\$432,062)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$500,000)</b>	<b>(\$432,062)</b>

**Highway Safety DPS 0457**

Initiative: Provides funding for the pending reorganization of 3 Highway Safety Coordinator positions to Recreational Safety and Vehicle Coordinator positions.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$18,809	\$19,881
All Other	\$292	\$310
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$19,101</b>	<b>\$20,191</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$3,554	\$3,844
All Other	(\$3,624)	(\$3,920)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$70)</b>	<b>(\$76)</b>

**HIGHWAY SAFETY DPS 0457**

**PROGRAM SUMMARY**

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$469,922	\$489,001
All Other	\$2,016,873	\$2,084,829
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$2,486,795</b>	<b>\$2,573,830</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$29,244	\$30,609
All Other	\$116,109	\$114,711
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$145,353</b>	<b>\$145,320</b>

**Licensing and Enforcement - Public Safety 0712**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$513,426	\$526,069
All Other	\$159,863	\$159,863
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$673,289</b>	<b>\$685,932</b>

**Licensing and Enforcement - Public Safety 0712**

Initiative: Eliminates one State Police Lieutenant position and reduces funding for related All Other costs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$121,374)	(\$127,088)
All Other	(\$5,091)	(\$5,194)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$126,465)</b>	<b>(\$132,282)</b>

**Licensing and Enforcement - Public Safety 0712**

Initiative: Transfers one Public Safety Inspector I position from the Licensing and Enforcement - Public Safety program, Other Special Revenue Funds to the Gambling Control Board program, Other Special Revenue Funds and one Office Associate II position from Other Special Revenue Funds to the General Fund in the Licensing and Enforcement - Public Safety program. Also eliminates one Public Safety Inspector I position from the Licensing and Enforcement - Public Safety program, Other Special Revenue Funds.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$63,846	\$64,449
All Other	\$11,643	\$11,643
<b>GENERAL FUND TOTAL</b>	<b>\$75,489</b>	<b>\$76,092</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$196,098)	(\$201,240)
All Other	(\$249,767)	(\$255,031)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$445,865)</b>	<b>(\$456,271)</b>

**Licensing and Enforcement - Public Safety 0712**

Initiative: Transfers 2 Office Associate II positions and one State Police Sergeant-E position and related All Other costs from Other Special Revenue Funds to the General Fund within the same program. This transfer will result in additional General Fund revenue recognition of \$197,037 in fiscal year 2017-18 and \$187,233 in fiscal year 2018-19.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$259,800	\$262,190
All Other	\$99,999	\$99,776
<b>GENERAL FUND TOTAL</b>	<b>\$359,799</b>	<b>\$361,966</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$259,800)	(\$262,190)
All Other	(\$104,870)	(\$104,675)

OTHER SPECIAL	(\$364,670)	(\$366,865)
REVENUE FUNDS TOTAL		

**Licensing and Enforcement - Public Safety 0712**

Initiative: Eliminates 2 Public Safety Inspector positions, one Office Associate II position and All Other funding related to nonprofit gaming.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$132,252)	(\$136,791)
All Other	(\$49,902)	(\$49,994)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$182,154)	(\$186,785)
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**LICENSING AND ENFORCEMENT - PUBLIC SAFETY 0712**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$323,646	\$326,639
All Other	\$111,642	\$111,419

GENERAL FUND TOTAL	\$435,288	\$438,058
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$196,098)	(\$201,240)
All Other	(\$249,767)	(\$255,031)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$445,865)	(\$456,271)
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**State Police 0291**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	316.500	316.500
Personal Services	\$26,349,442	\$26,793,433
All Other	\$10,376,475	\$10,376,475

GENERAL FUND TOTAL	\$36,725,917	\$37,169,908
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**FEDERAL EXPENDITURES FUND**

	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$445,986	\$458,264
All Other	\$1,034,216	\$1,034,216

FEDERAL EXPENDITURES FUND TOTAL	\$1,480,202	\$1,492,480
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**OTHER SPECIAL REVENUE FUNDS**

	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$312,060	\$314,926
All Other	\$440,276	\$440,276

OTHER SPECIAL REVENUE FUNDS TOTAL	\$752,336	\$755,202
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**State Police 0291**

Initiative: Provides funding to align allocation with existing resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$388,870	\$388,870

OTHER SPECIAL REVENUE FUNDS TOTAL	\$388,870	\$388,870
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**State Police 0291**

Initiative: Provides an allocation for a federal forfeiture account in the State Police program.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$1,000	\$1,000

FEDERAL EXPENDITURES FUND TOTAL	\$1,000	\$1,000
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**State Police 0291**

Initiative: Provides funding for replacement of the automatic fingerprint identification system.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
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All Other	\$231,701	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$231,701</b>	<b>\$0</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$55,105	\$301,860
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$55,105</b>	<b>\$301,860</b>

**State Police 0291**

Initiative: Adjusts funding to align allocation with existing resources.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$1,827)	(\$10,686)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$1,827)</b>	<b>(\$10,686)</b>

**State Police 0291**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Information Technology increase in technology costs.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$97,023	\$132,662
<b>GENERAL FUND TOTAL</b>	<b>\$97,023</b>	<b>\$132,662</b>

**State Police 0291**

Initiative: Provides funding for the approved range change of 2 Computer Forensic Analyst positions from range 25 to range 27, effective January 1, 2015.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$3,522	\$3,527
<b>GENERAL FUND TOTAL</b>	<b>\$3,522</b>	<b>\$3,527</b>

**State Police 0291**

Initiative: Provides funding for the uniform crime reporting system.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$22,893	\$22,893
<b>GENERAL FUND TOTAL</b>	<b>\$22,893</b>	<b>\$22,893</b>

**State Police 0291**

Initiative: Provides funding for the approved reclassification of one Forensic Technician position to a Forensic Chemist Technician position.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$1,362	\$1,417
<b>GENERAL FUND TOTAL</b>	<b>\$1,362</b>	<b>\$1,417</b>

**State Police 0291**

Initiative: Provides funding for the replacement and maintenance of the records management system.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$153,365
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$153,365</b>

**State Police 0291**

Initiative: Provides funding for a contract to move the housing of services for the Maine telecommunications and radio operations system from the Office of Information Services to a public vendor, as well as provide a system upgrade and equipment refresh.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$41,449	\$48,316
<b>GENERAL FUND TOTAL</b>	<b>\$41,449</b>	<b>\$48,316</b>

**State Police 0291**

Initiative: Transfers and reallocates one Computer Forensic Analyst position from 100% Other Special Revenue Funds in the State Police program to 30% Other Special Revenue Funds in the State Police program and 70% General Fund in the Computer Crimes program. Also reduces related STA-CAP costs.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$74,207)	(\$74,720)
All Other	(\$1,329)	(\$1,338)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$75,536)</b>	<b>(\$76,058)</b>

**State Police 0291**

Initiative: Provides funding for Computer Forensic Analyst position overtime pay.

GENERAL FUND	2017-18	2018-19
Personal Services	\$7,866	\$7,879
<b>GENERAL FUND TOTAL</b>	<b>\$7,866</b>	<b>\$7,879</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$10,808	\$11,325
All Other	\$194	\$203
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$11,002</b>	<b>\$11,528</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$24,372	\$24,451
All Other	\$437	\$438
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$24,809</b>	<b>\$24,889</b>

**STATE POLICE 0291 PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	316.500	316.500
Personal Services	\$26,362,192	\$26,806,256
All Other	\$10,537,840	\$10,733,711
<b>GENERAL FUND TOTAL</b>	<b>\$36,900,032</b>	<b>\$37,539,967</b>

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5.000	5.000
Personal Services	\$456,794	\$469,589
All Other	\$1,267,111	\$1,035,419
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,723,905</b>	<b>\$1,505,008</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$262,225	\$264,657
All Other	\$881,532	\$1,119,420

OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,143,757	\$1,384,077
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**Traffic Safety - Commercial Vehicle Enforcement 0715**

Initiative: BASELINE BUDGET

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$324,123	\$328,487
All Other	\$5,953	\$5,953
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$330,076</b>	<b>\$334,440</b>

**Traffic Safety - Commercial Vehicle Enforcement 0715**

Initiative: Provides funding for the approved range change of 6 Motor Carrier Inspector positions from range 18 to range 20, retroactive to 2015.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$59,796	\$18,597
All Other	\$928	\$289
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$60,724</b>	<b>\$18,886</b>

**TRAFFIC SAFETY - COMMERCIAL VEHICLE ENFORCEMENT 0715**

**PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	2017-18	2018-19
Personal Services	\$383,919	\$347,084
All Other	\$6,881	\$6,242
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$390,800</b>	<b>\$353,326</b>

**Turnpike Enforcement 0547**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	36.000	36.000
Personal Services	\$5,311,268	\$5,395,692
All Other	\$1,179,767	\$1,179,767

OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,491,035	\$6,575,459
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**Turnpike Enforcement 0547**

Initiative: Establishes one Office Associate II position and transfers All Other to Personal Services to fund the position.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$62,423	\$65,587
All Other	(\$62,423)	(\$65,587)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

**Turnpike Enforcement 0547**

Initiative: Provides funding to purchase 10 Police Interceptor sport utility vehicles in each year of the 2018-2019 biennium.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Capital Expenditures	\$314,150	\$323,580
OTHER SPECIAL REVENUE FUNDS TOTAL	\$314,150	\$323,580

**Turnpike Enforcement 0547**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Information Technology increase in technology costs.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$3,018	\$2,058
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,018	\$2,058

**TURNPIKE ENFORCEMENT 0547**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	37.000	37.000
Personal Services	\$5,373,691	\$5,461,279
All Other	\$1,120,362	\$1,116,238

Capital Expenditures	\$314,150	\$323,580
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,808,203	\$6,901,097

**PUBLIC SAFETY, DEPARTMENT OF**

DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$50,212,269	\$50,939,048
FEDERAL EXPENDITURES FUND	\$7,464,499	\$7,438,174
OTHER SPECIAL REVENUE FUNDS	\$20,844,353	\$21,225,437
CONSOLIDATED EMERGENCY COMMUNICATIONS FUND	\$6,411,122	\$6,459,131
DEPARTMENT TOTAL - ALL FUNDS	\$84,932,243	\$86,061,790

**Sec. A-62. Appropriations and allocations.**

The following appropriations and allocations are made.

**PUBLIC UTILITIES COMMISSION**

**Cost Recovery Fund Z230**

Initiative: Establishes a base allocation in the Cost Recovery Fund program.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

**COST RECOVERY FUND Z230**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

**Emergency Services Communication Bureau 0994**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19

POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$892,894	\$905,493
All Other	\$6,253,385	\$6,253,385
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,146,279	\$7,158,878

**Emergency Services Communication Bureau 0994**

Initiative: Provides funding for technology expenditures due to an increase in rates and usage.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$49,934	\$26,187
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$49,934	\$26,187

**EMERGENCY SERVICES COMMUNICATION BUREAU 0994**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$892,894	\$905,493
All Other	\$6,303,319	\$6,279,572
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,196,213	\$7,185,065

**Oversight and Evaluation Fund Z106**

Initiative: BASELINE BUDGET

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$252,660	\$252,660
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$252,660	\$252,660

**OVERSIGHT AND EVALUATION FUND Z106**

**PROGRAM SUMMARY**

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$252,660	\$252,660

OTHER SPECIAL	\$252,660	\$252,660
REVENUE FUNDS TOTAL		

**Public Utilities - Administrative Division 0184**

Initiative: BASELINE BUDGET

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$526	\$526
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$526	\$526

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	56.000	56.000
POSITIONS - FTE COUNT	0.250	0.250
Personal Services	\$6,647,893	\$6,882,866
All Other	\$6,684,214	\$6,684,214

OTHER SPECIAL REVENUE FUNDS TOTAL	\$13,332,107	\$13,567,080
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**Public Utilities - Administrative Division 0184**

Initiative: Provides funding for anticipated revenues in the Prepaid Wireless Fee Fund based on actual revenues collected in the previous 2 fiscal years.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$521,488	\$670,637
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$521,488	\$670,637

**Public Utilities - Administrative Division 0184**

Initiative: Establishes allocation in the Personal Services line category and associated All Other in order to charge a portion of 2 positions to a grant from the United States Department of Transportation.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$59,458	\$59,458
All Other	\$16	\$16
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$59,474	\$59,474

**Public Utilities - Administrative Division 0184**

Initiative: Provides funding for technology expenditures due to an increase in rates and usage.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$78,300	\$85,415
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$78,300	\$85,415

**PUBLIC UTILITIES - ADMINISTRATIVE DIVISION 0184**

**PROGRAM SUMMARY**

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$59,458	\$59,458
All Other	\$542	\$542
	<hr/>	<hr/>
FEDERAL EXPENDITURES FUND TOTAL	\$60,000	\$60,000

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	56.000	56.000
POSITIONS - FTE COUNT	0.250	0.250
Personal Services	\$6,647,893	\$6,882,866
All Other	\$7,284,002	\$7,440,266
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$13,931,895	\$14,323,132

**PUBLIC UTILITIES COMMISSION**

<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$60,000</b>	<b>\$60,000</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$21,381,268</b>	<b>\$21,761,357</b>
	<hr/>	<hr/>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$21,441,268</b>	<b>\$21,821,357</b>

**Sec. A-63. Appropriations and allocations.**

The following appropriations and allocations are made.

**RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES**

**Retirement System - Retirement Allowance Fund 0085**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$554,396	\$554,396
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$554,396	\$554,396

**Retirement System - Retirement Allowance Fund 0085**

Initiative: Adjusts funding for benefits for retired Governors and surviving spouses under the Maine Revised Statutes, Title 2, section 1-A.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$1,318)	\$1,998
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$1,318)	\$1,998

**Retirement System - Retirement Allowance Fund 0085**

Initiative: Reduces funding for benefits for judges who retired prior to December 1, 1984 and surviving spouses under the Maine Revised Statutes, Title 4, section 1403 for the 2018-2019 biennium due to a reduction in the number of beneficiaries.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$160,354)	(\$146,674)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$160,354)	(\$146,674)

**Retirement System - Retirement Allowance Fund 0085**

Initiative: Reduces funding for benefits for judges who retired prior to December 1, 1984 and surviving spouses under the Maine Revised Statutes, Title 4, section 1403 for the 2018-2019 biennium by recognizing one-time savings achieved by using available balances from prior years.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$152,428)	(\$152,428)
	<hr/>	<hr/>
GENERAL FUND TOTAL	(\$152,428)	(\$152,428)

**RETIREMENT SYSTEM - RETIREMENT ALLOWANCE FUND 0085**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$240,296	\$257,292
<b>GENERAL FUND TOTAL</b>	<b>\$240,296</b>	<b>\$257,292</b>
<b>RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES</b>		
<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	<b>\$240,296</b>	<b>\$257,292</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$240,296</b>	<b>\$257,292</b>

GENERAL FUND TOTAL	\$46,960	\$46,960
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$45,000	\$45,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$45,000</b>	<b>\$45,000</b>
<b>SACO RIVER CORRIDOR COMMISSION</b>		
<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	<b>\$46,960</b>	<b>\$46,960</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$45,000</b>	<b>\$45,000</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$91,960</b>	<b>\$91,960</b>

**Sec. A-64. Appropriations and allocations.**

The following appropriations and allocations are made.

**SACO RIVER CORRIDOR COMMISSION**

**Saco River Corridor Commission 0322**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$46,960	\$46,960
<b>GENERAL FUND TOTAL</b>	<b>\$46,960</b>	<b>\$46,960</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$40,348	\$40,348
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$40,348</b>	<b>\$40,348</b>

**Saco River Corridor Commission 0322**

Initiative: Provides funding to bring allocation in line with anticipated revenues.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$4,652	\$4,652
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$4,652</b>	<b>\$4,652</b>

**SACO RIVER CORRIDOR COMMISSION 0322**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$46,960	\$46,960

**Sec. A-65. Appropriations and allocations.**  
The following appropriations and allocations are made.

**SECRETARY OF STATE, DEPARTMENT OF  
Administration - Archives 0050**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	12.500	12.500
Personal Services	\$906,786	\$939,459
All Other	\$343,427	\$343,427

<b>GENERAL FUND TOTAL</b>	<b>\$1,250,213</b>	<b>\$1,282,886</b>
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**FEDERAL  
EXPENDITURES FUND**

	2017-18	2018-19
All Other	\$27,673	\$27,673
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$27,673</b>	<b>\$27,673</b>

**OTHER SPECIAL  
REVENUE FUNDS**

All Other	\$17,730	\$17,730
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<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$17,730</b>	<b>\$17,730</b>
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**Administration - Archives 0050**

Initiative: Establishes one Archivist III position to be responsible for the development of digital content and web-based services and provides funding for related All Other costs.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$79,417	\$83,566
All Other	\$6,669	\$2,146
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$86,086	\$85,712

**Administration - Archives 0050**

Initiative: Establishes one Management Analyst II position to manage and develop record retention schedules and provide training to all state agencies and provides funding for related All Other costs.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$79,193	\$83,062
All Other	\$6,669	\$2,146
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$85,862	\$85,208

**Administration - Archives 0050**

Initiative: Provides funding for contractors to perform microfilm conversion and data indexing in support of the Maine State Archives Imaging Center.

GENERAL FUND	2017-18	2018-19
All Other	\$68,640	\$68,640
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$68,640	\$68,640

**Administration - Archives 0050**

Initiative: Provides one-time funding for the purchase and installation of high-density compact shelving in 2 Maine State Archives locations in fiscal year 2017-18.

GENERAL FUND	2017-18	2018-19
Capital Expenditures	\$575,040	\$0
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$575,040	\$0

**Administration - Archives 0050**

Initiative: Provides funding for the approved reorganization of one Office Assistant II position to an Inventory and Property Associate I position.

GENERAL FUND	2017-18	2018-19
Personal Services	\$2,466	\$4,358
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$2,466	\$4,358

**Administration - Archives 0050**

Initiative: Provides funding for the migration to a cloud-based system for e-mail, active directory and office products by the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2017-18	2018-19
All Other	\$6,649	\$6,649
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$6,649	\$6,649

**Administration - Archives 0050**

Initiative: Provides funding for the approved management-initiated range changes of one Archivist I position from range 14 to range 16; one Archivist II position from range 17 to range 19; and one Archivist III position from range 20 to range 23.

GENERAL FUND	2017-18	2018-19
Personal Services	\$18,179	\$19,062
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$18,179	\$19,062

**Administration - Archives 0050**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Information Technology enterprise functions.

GENERAL FUND	2017-18	2018-19
All Other	\$54	\$54
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$54	\$54

**Administration - Archives 0050**

Initiative: Provides funding for the approved reclassification of one Photographer II position to one Archives Imaging Specialist position.

GENERAL FUND	2017-18	2018-19
Personal Services	\$8,599	\$4,765
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$8,599	\$4,765

**ADMINISTRATION - ARCHIVES 0050  
PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	14,500	14,500
Personal Services	\$1,094,640	\$1,134,272
All Other	\$432,108	\$423,062
Capital Expenditures	\$575,040	\$0

<b>GENERAL FUND TOTAL</b>	<b>\$2,101,788</b>	<b>\$1,557,334</b>
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<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$27,673	\$27,673

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$27,673</b>	<b>\$27,673</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$17,730	\$17,730

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$17,730</b>	<b>\$17,730</b>
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**Administration - Motor Vehicles 0077**

Initiative: BASELINE BUDGET

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$485,423	\$485,423

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$485,423</b>	<b>\$485,423</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$112,389	\$113,421
All Other	\$183,334	\$183,334

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$295,723</b>	<b>\$296,755</b>
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**Administration - Motor Vehicles 0077**

Initiative: Reduces funding based on available resources.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$6,897)	(\$7,929)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$6,897)	(\$7,929)
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**ADMINISTRATION - MOTOR VEHICLES 0077 PROGRAM SUMMARY**

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$485,423	\$485,423

<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$485,423</b>	<b>\$485,423</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$112,389	\$113,421
All Other	\$176,437	\$175,405

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$288,826</b>	<b>\$288,826</b>
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**Bureau of Administrative Services and Corporations 0692**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	32,000	32,000
Personal Services	\$2,329,987	\$2,393,862
All Other	\$1,735,605	\$1,735,605

<b>GENERAL FUND TOTAL</b>	<b>\$4,065,592</b>	<b>\$4,129,467</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$184,186	\$190,370
All Other	\$70,724	\$70,724

<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$254,910</b>	<b>\$261,094</b>
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**Bureau of Administrative Services and Corporations 0692**

Initiative: Provides funding for the migration to a cloud-based system for e-mail, active directory and

office products by the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2017-18	2018-19
All Other	\$19,061	\$19,061
<b>GENERAL FUND TOTAL</b>	<b>\$19,061</b>	<b>\$19,061</b>

**Bureau of Administrative Services and Corporations 0692**

Initiative: Provides funding for the call management system assessment by the Department of Administrative and Financial Services, Office of Information Technology.

GENERAL FUND	2017-18	2018-19
All Other	\$1,776	\$1,776
<b>GENERAL FUND TOTAL</b>	<b>\$1,776</b>	<b>\$1,776</b>

**Bureau of Administrative Services and Corporations 0692**

Initiative: Provides funding for geographic information services fees.

GENERAL FUND	2017-18	2018-19
All Other	\$8,657	\$8,657
<b>GENERAL FUND TOTAL</b>	<b>\$8,657</b>	<b>\$8,657</b>

**Bureau of Administrative Services and Corporations 0692**

Initiative: Provides funding for the approved reorganization of 4 Customer Representative Associate II positions to Customer Representative Specialist - Corporate positions.

GENERAL FUND	2017-18	2018-19
Personal Services	\$9,546	\$9,809
<b>GENERAL FUND TOTAL</b>	<b>\$9,546</b>	<b>\$9,809</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$3,315	\$3,460
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$3,315</b>	<b>\$3,460</b>

**Bureau of Administrative Services and Corporations 0692**

Initiative: Establishes one Elections Coordinator position to assist in the management and maintenance of election records and provides funding for related All Other costs.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$73,117	\$76,855
All Other	\$6,669	\$2,146
<b>GENERAL FUND TOTAL</b>	<b>\$79,786</b>	<b>\$79,001</b>

**Bureau of Administrative Services and Corporations 0692**

Initiative: Provides one-time funding for the replacement of laptops and printers that are older than 5 years.

GENERAL FUND	2017-18	2018-19
All Other	\$20,752	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$20,752</b>	<b>\$0</b>

**Bureau of Administrative Services and Corporations 0692**

Initiative: Provides funding for the approved reorganization of one Management Analyst I position to an Elections Coordinator position and increases the hours from 40 hours to 80 hours biweekly.

GENERAL FUND	2017-18	2018-19
Personal Services	\$32,645	\$33,927
<b>GENERAL FUND TOTAL</b>	<b>\$32,645</b>	<b>\$33,927</b>

**Bureau of Administrative Services and Corporations 0692**

Initiative: Provides funding for the Department of Administrative and Financial Services, Office of Information Technology enterprise functions.

GENERAL FUND	2017-18	2018-19
All Other	\$852	\$852
<b>GENERAL FUND TOTAL</b>	<b>\$852</b>	<b>\$852</b>

**BUREAU OF ADMINISTRATIVE SERVICES AND CORPORATIONS 0692**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
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POSITIONS - LEGISLATIVE COUNT	33,000	33,000	All Other	\$10,000	\$10,000
Personal Services	\$2,445,295	\$2,514,453	FEDERAL EXPENDITURES	\$10,000	\$10,000
All Other	\$1,793,372	\$1,768,097	FUND TOTAL		
<b>GENERAL FUND TOTAL</b>	<b>\$4,238,667</b>	<b>\$4,282,550</b>	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
			All Other	\$50,000	\$50,000
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>	OTHER SPECIAL REVENUE FUNDS TOTAL	\$50,000	\$50,000
POSITIONS - LEGISLATIVE COUNT	3,000	3,000			
Personal Services	\$187,501	\$193,830			
All Other	\$70,724	\$70,724			
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$258,225</b>	<b>\$264,554</b>	<b>Municipal Excise Tax Reimbursement Fund 0871</b>		
			Initiative: BASELINE BUDGET		
			<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
			All Other	\$925,000	\$925,000
<b>Elections and Commissions 0693</b>			OTHER SPECIAL REVENUE FUNDS TOTAL	\$925,000	\$925,000
Initiative: BASELINE BUDGET					
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>	<b>Municipal Excise Tax Reimbursement Fund 0871</b>		
All Other	\$1,322,550	\$1,322,550	Initiative: Provides funding in the Municipal Excise Tax Reimbursement Fund program for reimbursements to municipalities based on current trends.		
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,322,550</b>	<b>\$1,322,550</b>	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
			All Other	\$175,000	\$175,000
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>	OTHER SPECIAL REVENUE FUNDS TOTAL	\$175,000	\$175,000
All Other	\$50,000	\$50,000			
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$50,000</b>	<b>\$50,000</b>	<b>MUNICIPAL EXCISE TAX REIMBURSEMENT FUND 0871</b>		
			<b>PROGRAM SUMMARY</b>		
			<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
			All Other	\$1,100,000	\$1,100,000
			OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,100,000	\$1,100,000
<b>Elections and Commissions 0693</b>			<b>SECRETARY OF STATE, DEPARTMENT OF DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
Initiative: Reduces funding based on available resources.			<b>GENERAL FUND</b>	<b>\$6,340,455</b>	<b>\$5,839,884</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>			
All Other	(\$1,312,550)	(\$1,312,550)			
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>(\$1,312,550)</b>	<b>(\$1,312,550)</b>			
<b>ELECTIONS AND COMMISSIONS 0693</b>					
<b>PROGRAM SUMMARY</b>					
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>			

FEDERAL EXPENDITURES FUND	\$523,096	\$523,096
OTHER SPECIAL REVENUE FUNDS	\$1,714,781	\$1,721,110
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$8,578,332</b>	<b>\$8,084,090</b>

**Sec. A-66. Appropriations and allocations.**  
The following appropriations and allocations are made.

**ST. CROIX INTERNATIONAL WATERWAY COMMISSION**

**St. Croix International Waterway Commission 0576**

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$25,000	\$25,000
<b>GENERAL FUND TOTAL</b>	<b>\$25,000</b>	<b>\$25,000</b>

**ST. CROIX INTERNATIONAL WATERWAY COMMISSION 0576**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$25,000	\$25,000
<b>GENERAL FUND TOTAL</b>	<b>\$25,000</b>	<b>\$25,000</b>

**Sec. A-67. 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

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$800,000	\$800,000
<b>GENERAL FUND TOTAL</b>	<b>\$800,000</b>	<b>\$800,000</b>

**RESERVE FUND FOR STATE HOUSE PRESERVATION AND MAINTENANCE 0975**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$800,000	\$800,000

GENERAL FUND TOTAL	\$800,000	\$800,000
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**Sec. A-68. Appropriations and allocations.**  
The following appropriations and allocations are made.

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

Initiative: BASELINE BUDGET

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	16,000	16,000
Personal Services	\$1,343,670	\$1,383,185
All Other	\$776,277	\$776,277

GENERAL FUND TOTAL	\$2,119,947	\$2,159,462
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**ABANDONED PROPERTY FUND**

All Other	\$292,424	\$292,424
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ABANDONED PROPERTY FUND TOTAL	\$292,424	\$292,424
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**Administration - Treasury 0022**

Initiative: Provides funding for the modernization or replacement of the State's unclaimed property application.

<b>ABANDONED PROPERTY FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$23,030	\$23,030

ABANDONED PROPERTY FUND TOTAL	\$23,030	\$23,030
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**ADMINISTRATION - TREASURY 0022**

**PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	16,000	16,000
Personal Services	\$1,343,670	\$1,383,185
All Other	\$776,277	\$776,277

GENERAL FUND TOTAL	\$2,119,947	\$2,159,462
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**ABANDONED PROPERTY FUND**

All Other	\$23,030	\$23,030
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All Other	\$315,454	\$315,454
ABANDONED PROPERTY FUND TOTAL	\$315,454	\$315,454

**Debt Service - Treasury 0021**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$82,258,192	\$82,258,192
GENERAL FUND TOTAL	\$82,258,192	\$82,258,192

FEDERAL EXPENDITURES FUND ARRA	2017-18	2018-19
All Other	\$295,738	\$295,738
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$295,738	\$295,738

**Debt Service - Treasury 0021**

Initiative: Adjusts funding levels for the Debt Service - Treasury program based upon the current debt service schedule and anticipated issuance.

GENERAL FUND	2017-18	2018-19
All Other	\$11,096,167	\$24,491,014
GENERAL FUND TOTAL	\$11,096,167	\$24,491,014

**DEBT SERVICE - TREASURY 0021**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$93,354,359	\$106,749,206
GENERAL FUND TOTAL	\$93,354,359	\$106,749,206

FEDERAL EXPENDITURES FUND ARRA	2017-18	2018-19
All Other	\$295,738	\$295,738
FEDERAL EXPENDITURES FUND ARRA TOTAL	\$295,738	\$295,738

**Disproportionate Tax Burden Fund 0472**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$15,700,000	\$15,700,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,700,000	\$15,700,000

**Disproportionate Tax Burden Fund 0472**

Initiative: Adjusts funding for municipal revenue sharing to bring allocations in line with projected available resources.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$879,084	\$1,499,484
OTHER SPECIAL REVENUE FUNDS TOTAL	\$879,084	\$1,499,484

**Disproportionate Tax Burden Fund 0472**

Initiative: Adjusts funding to reflect revenue changes approved by the December 1, 2016 Revenue Forecasting Committee.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$5,600	(\$112,400)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,600	(\$112,400)

**DISPROPORTIONATE TAX BURDEN FUND 0472**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$16,584,684	\$17,087,084
OTHER SPECIAL REVENUE FUNDS TOTAL	\$16,584,684	\$17,087,084

**Passamaquoddy Sales Tax Fund 0915**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$17,607	\$17,607
OTHER SPECIAL REVENUE FUNDS TOTAL	\$17,607	\$17,607

**PASSAMAQUODDY SALES TAX FUND 0915**

**PROGRAM SUMMARY**

	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
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

	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	\$46,800,000	\$46,800,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$46,800,000	\$46,800,000

**State - Municipal Revenue Sharing 0020**

Initiative: Adjusts funding to reflect revenue changes approved by the December 1, 2016 Revenue Forecasting Committee.

	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	\$22,400	(\$449,600)
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$22,400	(\$449,600)

**STATE - MUNICIPAL REVENUE SHARING 0020**

**PROGRAM SUMMARY**

	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>		
All Other	\$46,822,400	\$46,350,400
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$46,822,400	\$46,350,400

**TREASURER OF STATE, OFFICE OF**

	2017-18	2018-19
<b>DEPARTMENT TOTALS</b>		
<b>GENERAL FUND</b>	<b>\$95,474,306</b>	<b>\$108,908,668</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$63,424,691</b>	<b>\$63,455,091</b>

<b>FEDERAL EXPENDITURES FUND ARRA ABANDONED PROPERTY FUND</b>	<b>\$295,738</b>	<b>\$295,738</b>
	<hr/>	<hr/>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$159,510,189</b>	<b>\$172,974,951</b>

**Sec. A-69. 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

	2017-18	2018-19
<b>GENERAL FUND</b>		
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**

	2017-18	2018-19
<b>GENERAL FUND</b>		
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

	2017-18	2018-19
<b>GENERAL FUND</b>		
All Other	\$3,267,950	\$3,267,950
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$3,267,950	\$3,267,950

**DEBT SERVICE - UNIVERSITY OF MAINE SYSTEM 0902**

**PROGRAM SUMMARY**

	2017-18	2018-19
<b>GENERAL FUND</b>		
All Other	\$3,267,950	\$3,267,950
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$3,267,950	\$3,267,950

**Educational and General Activities - UMS 0031**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$182,620,534	\$182,620,534

GENERAL FUND TOTAL	\$182,620,534	\$182,620,534
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$600,000	\$600,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$600,000	\$600,000
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**Educational and General Activities - UMS 0031**

Initiative: Provides funding to continue to offset the impact of an in-state tuition increase. Also provides funding for pest management and pesticide safety outreach and education and for testing of ticks provided by the public and certain other laboratory operations at the University of Maine Cooperative Extension's animal and plant disease and insect control laboratory.

GENERAL FUND	2017-18	2018-19
All Other	\$5,800,000	\$5,800,000

GENERAL FUND TOTAL	\$5,800,000	\$5,800,000
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**Educational and General Activities - UMS 0031**

Initiative: Provides funding for the continued support of early college programs.

GENERAL FUND	2017-18	2018-19
All Other	\$500,000	\$500,000

GENERAL FUND TOTAL	\$500,000	\$500,000
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**EDUCATIONAL AND GENERAL ACTIVITIES - UMS 0031**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$188,920,534	\$188,920,534

GENERAL FUND TOTAL	\$188,920,534	\$188,920,534
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$600,000	\$600,000

OTHER SPECIAL REVENUE FUNDS TOTAL	\$600,000	\$600,000
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**Maine Centers for Women, Work and Community Z169**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$864,475	\$864,475

GENERAL FUND TOTAL	\$864,475	\$864,475
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**Maine Centers for Women, Work and Community Z169**

Initiative: Provides funding to cover increased personnel costs to deliver core workforce, financial and microenterprise services in person and online.

GENERAL FUND	2017-18	2018-19
All Other	\$33,125	\$50,175

GENERAL FUND TOTAL	\$33,125	\$50,175
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**MAINE CENTERS FOR WOMEN, WORK AND COMMUNITY Z169**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$897,600	\$914,650

GENERAL FUND TOTAL	\$897,600	\$914,650
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**Maine Economic Improvement Fund 0986**

Initiative: BASELINE BUDGET

GENERAL FUND	2017-18	2018-19
All Other	\$17,350,000	\$17,350,000

GENERAL FUND TOTAL	\$17,350,000	\$17,350,000
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**MAINE ECONOMIC IMPROVEMENT FUND 0986**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
All Other	\$17,350,000	\$17,350,000

GENERAL FUND TOTAL	\$17,350,000	\$17,350,000
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**UM Cooperative Extension - Pesticide Education Z059**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**UM COOPERATIVE EXTENSION - PESTICIDE EDUCATION Z059**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

**University of Maine Cooperative Extension Z172**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$135,000	\$135,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$135,000</b>	<b>\$135,000</b>

**UNIVERSITY OF MAINE COOPERATIVE EXTENSION Z172**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$135,000	\$135,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$135,000</b>	<b>\$135,000</b>

**University of Maine Scholarship Fund Z011**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$3,245,560	\$3,245,560
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$3,245,560</b>	<b>\$3,245,560</b>

**University of Maine Scholarship Fund Z011**

Initiative: Provides funding to align allocations with dedicated revenue as projected by the December 2016 Revenue Forecasting Committee report.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$119,989	\$152,894
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$119,989</b>	<b>\$152,894</b>

**UNIVERSITY OF MAINE SCHOLARSHIP FUND Z011**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$3,365,549	\$3,398,454
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$3,365,549</b>	<b>\$3,398,454</b>

**UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE DEPARTMENT TOTALS**

	2017-18	2018-19
<b>GENERAL FUND</b>	<b>\$210,471,084</b>	<b>\$210,488,134</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$4,101,049</b>	<b>\$4,133,954</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$214,572,133</b>	<b>\$214,622,088</b>

**Sec. A-70. 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	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	108,000	108,000
Personal Services	\$9,405,318	\$9,568,060
All Other	\$2,174,059	\$2,174,059
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$11,579,377</b>	<b>\$11,742,119</b>

**Administration - Workers' Compensation Board  
0183**

Initiative: Provides funding to increase the hours of one Secretary Legal position from 70 hours to 80 hours biweekly.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$7,595	\$7,982
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,595	\$7,982

**Administration - Workers' Compensation Board  
0183**

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

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$6,213	\$6,490
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,213	\$6,490

**Administration - Workers' Compensation Board  
0183**

Initiative: Provides funding for increases in operational expenses.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$244,410	\$280,591
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$244,410	\$280,591

**Administration - Workers' Compensation Board  
0183**

Initiative: Provides funding for the approved reorganization of one Office Assistant II position to a Secretary position.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$3,730	\$5,295
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,730	\$5,295

**ADMINISTRATION - WORKERS'  
COMPENSATION BOARD 0183**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	108.000	108.000
Personal Services	\$9,422,856	\$9,587,827
All Other	\$2,418,469	\$2,454,650
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,841,325	\$12,042,477

**Employment Rehabilitation Program 0195**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$125,000	\$125,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$125,000	\$125,000

**EMPLOYMENT REHABILITATION  
PROGRAM 0195**

**PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$125,000	\$125,000
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$125,000	\$125,000

**Workers' Compensation Board 0751**

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$10,000	\$10,000
All Other	\$10,820	\$10,820
	<hr/>	<hr/>
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,820	\$20,820

**WORKERS' COMPENSATION BOARD 0751  
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$10,000	\$10,000
All Other	\$10,820	\$10,820

OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,820	\$20,820
<b>WORKERS' COMPENSATION BOARD</b>		
<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
OTHER SPECIAL REVENUE FUNDS	\$11,987,145	\$12,188,297
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$11,987,145</b>	<b>\$12,188,297</b>

**Sec. A-71.** This section left blank intentionally.

**Sec. A-72. Appropriations and allocations.** The following appropriations and allocations are made.

**TECHNOLOGY SERVICES, DEPARTMENT OF Statewide Radio Network System Z243**

Initiative: Transfers All Other funding from the Department of Administrative and Financial Services, Statewide Radio Network System program to the Department of Technology Services, Statewide Radio Network System program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$6,699,151	\$6,699,151
<b>GENERAL FUND TOTAL</b>	<b>\$6,699,151</b>	<b>\$6,699,151</b>

**Statewide Radio Network System Z243**

Initiative: Establishes baseline allocation, expenditures and dedicated revenue for the Statewide Radio and Network System Reserve Fund.

<b>STATEWIDE RADIO AND NETWORK SYSTEM RESERVE FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$5,000	\$5,000
<b>STATEWIDE RADIO AND NETWORK SYSTEM RESERVE FUND TOTAL</b>	<b>\$5,000</b>	<b>\$5,000</b>

**STATEWIDE RADIO NETWORK SYSTEM Z243 PROGRAM SUMMARY**

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$6,699,151	\$6,699,151

<b>GENERAL FUND TOTAL</b>	<b>\$6,699,151</b>	<b>\$6,699,151</b>
<b>STATEWIDE RADIO AND NETWORK SYSTEM RESERVE FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$5,000	\$5,000
<b>STATEWIDE RADIO AND NETWORK SYSTEM RESERVE FUND TOTAL</b>	<b>\$5,000</b>	<b>\$5,000</b>

**Technology Services Z242**

Initiative: Reorganizes one Chief Information Officer position to a Commissioner, Department of Technology Services position to align the classification with the duties of the position.

<b>OFFICE OF INFORMATION SERVICES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$3,124	\$3,129
<b>OFFICE OF INFORMATION SERVICES FUND TOTAL</b>	<b>\$3,124</b>	<b>\$3,129</b>

**Technology Services Z242**

Initiative: Transfers and reallocates the cost of one Public Service Manager II position, one GIS Coordinator position and 2 Senior Programmer Analyst positions and associated All Other costs from 100% Office of Information Services Fund to 100% General Fund and reallocates the cost of one Public Service Manager II position from 100% Office of Information Services Fund to 85% Other Special Revenue Funds and 15% General Fund within the same program to provide funding for Maine's Geographic Information Services and GeoLibrary.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$442,039	\$447,750
All Other	\$631,403	\$631,403
<b>GENERAL FUND TOTAL</b>	<b>\$1,073,442</b>	<b>\$1,079,153</b>

<b>OFFICE OF INFORMATION SERVICES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(4.000)	(4.000)
Personal Services	(\$442,039)	(\$447,750)

OFFICE OF INFORMATION SERVICES FUND TOTAL	(\$442,039)	(\$447,750)
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**Technology Services Z242**

Initiative: Provides funding for annual principal and interest payments on funds borrowed in support of state technology infrastructure improvements and system purchases and enhancements.

GENERAL FUND	2017-18	2018-19
All Other	\$220,000	\$4,700,000
<b>GENERAL FUND TOTAL</b>	<b>\$220,000</b>	<b>\$4,700,000</b>

**Technology Services Z242**

Initiative: Transfers positions and All Other funding from the Federal Expenditures Fund, Other Special Revenue Funds and the Office of Information Services Fund in the Department of Administrative and Financial Services, Information Services program to the Federal Expenditures Fund, Other Special Revenue Funds and the Office of Information Services Fund in the new Department of Technology Services, Technology Services program. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$500	\$500

FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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OFFICE OF INFORMATION SERVICES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	475,000	475,000
Personal Services	\$47,736,567	\$48,801,411
All Other	\$7,535,440	\$7,535,440

OFFICE OF INFORMATION SERVICES FUND TOTAL	\$55,272,007	\$56,336,851
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**TECHNOLOGY SERVICES Z242**

**PROGRAM SUMMARY**

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$442,039	\$447,750
All Other	\$851,403	\$5,331,403

GENERAL FUND TOTAL	\$1,293,442	\$5,779,153
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FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$500	\$500

FEDERAL EXPENDITURES FUND TOTAL	\$500	\$500
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OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500

OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
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**OFFICE OF INFORMATION SERVICES FUND**

OFFICE OF INFORMATION SERVICES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	471,000	471,000
Personal Services	\$47,297,652	\$48,356,790
All Other	\$7,535,440	\$7,535,440

OFFICE OF INFORMATION SERVICES FUND TOTAL	\$54,833,092	\$55,892,230
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**TECHNOLOGY SERVICES, DEPARTMENT OF**

DEPARTMENT TOTALS	2017-18	2018-19
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GENERAL FUND	\$7,992,593	\$12,478,304
FEDERAL EXPENDITURES FUND	\$500	\$500
OTHER SPECIAL REVENUE FUNDS	\$500	\$500
OFFICE OF INFORMATION SERVICES FUND	\$54,833,092	\$55,892,230

STATEWIDE RADIO AND NETWORK SYSTEM RESERVE FUND	\$5,000	\$5,000
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$62,831,685</b>	<b>\$68,376,534</b>

**PART B**

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

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Workers' Compensation Management Fund Program 0802**

Initiative: RECLASSIFICATIONS

WORKERS' COMPENSATION MANAGEMENT FUND	2017-18	2018-19
Personal Services	\$1,481	\$1,484
All Other	(\$1,481)	(\$1,484)
	\$0	\$0
<b>WORKERS' COMPENSATION MANAGEMENT FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

DEPARTMENT TOTALS	2017-18	2018-19
<b>WORKERS' COMPENSATION MANAGEMENT FUND</b>	<b>\$0</b>	<b>\$0</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

**Boating Facilities Fund Z226**

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$7,527	\$7,539
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$7,527</b>	<b>\$7,539</b>

**Certified Seed Fund 0787**

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$24,604	\$24,763
All Other	(\$24,604)	(\$24,763)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Off-Road Recreational Vehicles Program Z224**

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$11,450	\$18,044
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$11,450</b>	<b>\$18,044</b>

**Parks - General Operations Z221**

Initiative: RECLASSIFICATIONS

GENERAL FUND	2017-18	2018-19
Personal Services	\$6,243	\$8,580
All Other	(\$6,243)	(\$8,580)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Pesticides Control - Board of 0287**

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$5,722	\$5,965
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$5,722</b>	<b>\$5,965</b>

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

DEPARTMENT TOTALS	2017-18	2018-19
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$24,699</b>	<b>\$31,548</b>

<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$24,699</b>	<b>\$31,548</b>
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**AUDITOR, OFFICE OF THE STATE  
Audit - Unorganized Territory 0075**

Initiative: RECLASSIFICATIONS

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$4,330	\$4,336
All Other	\$151	\$152
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$4,481</b>	<b>\$4,488</b>

**AUDITOR, OFFICE OF THE STATE**

<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$4,481</b>	<b>\$4,488</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$4,481</b>	<b>\$4,488</b>

**DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF**

**Military Training and Operations 0108**

Initiative: RECLASSIFICATIONS

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$15,931	\$16,036
All Other	(\$15,931)	(\$16,036)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$7,903	\$8,324
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$7,903</b>	<b>\$8,324</b>

<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
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<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$7,903</b>	<b>\$8,324</b>

<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$7,903</b>	<b>\$8,324</b>
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**EDUCATION, DEPARTMENT OF  
General Purpose Aid for Local Schools 0308**

Initiative: RECLASSIFICATIONS

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$4,554	\$4,587
All Other	(\$4,554)	(\$4,587)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Leadership Team Z077**

Initiative: RECLASSIFICATIONS

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$22,413	\$26,739
All Other	(\$22,413)	(\$26,739)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>

**Learning Systems Team Z081**

Initiative: RECLASSIFICATIONS

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$7,100	\$7,110
All Other	(\$7,100)	(\$7,110)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>\$0</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$0</b>

<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>
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**ENVIRONMENTAL PROTECTION, DEPARTMENT OF  
Maine Environmental Protection Fund 0421**

Initiative: RECLASSIFICATIONS

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$5,930	\$5,940
All Other	\$215	\$215

OTHER SPECIAL REVENUE FUNDS TOTAL	\$6,145	\$6,155
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**Performance Partnership Grant 0851**

Initiative: RECLASSIFICATIONS

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$11,745	\$12,012
All Other	\$426	\$435

FEDERAL EXPENDITURES FUND TOTAL	\$12,171	\$12,447
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**Remediation and Waste Management 0247**

Initiative: RECLASSIFICATIONS

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$6,145	\$6,670
All Other	(\$6,145)	(\$6,670)

GENERAL FUND TOTAL	\$0	\$0
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<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$6,449	\$6,459
All Other	\$234	\$234

FEDERAL EXPENDITURES FUND TOTAL	\$6,683	\$6,693
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$11,038	\$11,414
All Other	\$400	\$414

OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,438	\$11,828
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**Water Quality 0248**

Initiative: RECLASSIFICATIONS

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$2,332	\$2,442
All Other	(\$2,332)	(\$2,442)

GENERAL FUND TOTAL	\$0	\$0
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$9,742	\$9,758
All Other	\$353	\$354

OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,095	\$10,112
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<b>ENVIRONMENTAL PROTECTION, DEPARTMENT OF DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$18,854</b>	<b>\$19,140</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$27,678</b>	<b>\$28,095</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$46,532</b>	<b>\$47,235</b>

<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$18,854</b>	<b>\$19,140</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$27,678</b>	<b>\$28,095</b>

<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$46,532</b>	<b>\$47,235</b>
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**LABOR, DEPARTMENT OF  
Regulation and Enforcement 0159**

Initiative: RECLASSIFICATIONS

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$7,706	\$2,939
All Other	(\$7,706)	(\$2,939)

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0
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**Safety Education and Training Programs 0161**  
Initiative: RECLASSIFICATIONS

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>	Personal Services	\$11,961	\$13,089
Personal Services	\$7,706	\$2,938	All Other	(\$11,961)	(\$13,089)
All Other	(\$7,706)	(\$2,938)	<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
			Personal Services	\$4,832	\$7,752
			All Other	(\$4,832)	(\$7,752)
<b>LABOR, DEPARTMENT OF</b>			<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>
<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>\$0</b>	<b>State Police 0291</b>		
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$0</b>	Initiative: RECLASSIFICATIONS		
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>	<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
			Personal Services	\$4,903	\$5,075
			All Other	\$88	\$91
<b>PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF Office of Securities 0943</b>			<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$4,991</b>	<b>\$5,166</b>
Initiative: RECLASSIFICATIONS			<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>	Personal Services	\$12,263	\$12,283
Personal Services	\$6,422	\$6,431	All Other	\$220	\$220
All Other	\$104	\$108	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$12,483</b>	<b>\$12,503</b>
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$6,526</b>	<b>\$6,539</b>	<b>PUBLIC SAFETY, DEPARTMENT OF</b>		
			<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF</b>			<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>
<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$4,991</b>	<b>\$5,166</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$6,526</b>	<b>\$6,539</b>	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$12,483</b>	<b>\$12,503</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$6,526</b>	<b>\$6,539</b>	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$17,474</b>	<b>\$17,669</b>
			<b>TECHNOLOGY SERVICES, DEPARTMENT OF</b>		
<b>PUBLIC SAFETY, DEPARTMENT OF</b>			<b>Technology Services Z242</b>		
<b>Emergency Medical Services 0485</b>			Initiative: RECLASSIFICATIONS		
Initiative: RECLASSIFICATIONS			<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>			

<b>OFFICE OF INFORMATION SERVICES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$64,170	\$70,298
All Other	(\$64,170)	(\$70,298)
	<hr/>	<hr/>
OFFICE OF INFORMATION SERVICES FUND TOTAL	\$0	\$0
<b>TECHNOLOGY SERVICES, DEPARTMENT OF DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>OFFICE OF INFORMATION SERVICES FUND</b>	<b>\$0</b>	<b>\$0</b>
	<hr/>	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0
<b>SECTION TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$31,748</b>	<b>\$32,630</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$75,867</b>	<b>\$83,173</b>
<b>OFFICE OF INFORMATION SERVICES FUND</b>	<b>\$0</b>	<b>\$0</b>
<b>WORKERS' COMPENSATION MANAGEMENT FUND</b>	<b>\$0</b>	<b>\$0</b>
	<hr/>	<hr/>
SECTION TOTAL - ALL FUNDS	\$107,615	\$115,803

**PART C**

**Sec. C-1. 8 MRSA §1036, sub-§2-A, ¶A**, as enacted by IB 2009, c. 2, §45, is amended to read:

A. Twenty-five percent of the net slot machine income must be forwarded directly by the board to the Treasurer of State, who shall credit the money to the Department of Education, to be used to supplement and not to supplant funding for essential programs and services for kindergarten to grade 12 under Title 20-A, chapter 606-B;

**Sec. C-2. 8 MRSA §1036, sub-§2-B, ¶A**, as enacted by IB 2009, c. 2, §46, is amended to read:

A. Ten percent of the net table game income must be forwarded directly by the board to the Treasurer of State, who shall credit the money to the Department of Education, to be used to supplement and not to supplant funding for essential programs and services for kindergarten to grade 12 under Title 20-A, chapter 606-B;

**Sec. C-3. 20-A MRSA §1051, sub-§6, ¶D** is enacted to read:

D. A group of school administrative units that has an interlocal agreement pursuant to Title 30-A, chapter 115 to establish a school management and leadership center to jointly purchase the services of a superintendent may elect the superintendent in the manner prescribed in the interlocal agreement.

**Sec. C-4. 20-A MRSA §1485, sub-§1-A** is enacted to read:

**1-A. Instructional expenditures transition; annual targets.** Each school administrative unit shall meet the annual targets for the direct instruction percentage share of total General Fund expenditures as follows:

- A. For fiscal year 2018-19, the target is 61%;
- B. For fiscal year 2019-20, the target is 63%;
- C. For fiscal year 2020-21, the target is 65%;
- D. For fiscal year 2021-22, the target is 67%; and
- E. For fiscal year 2022-23 and succeeding years, the target is 70%.

For the purposes of this subsection, "direct instruction" means those expenditures in subsection 1, paragraph A for regular instruction, special education instruction, career and technical education instruction and other instruction including summer school instruction and extracurricular instruction as defined in the State's accounting handbook for local school systems.

**Sec. C-5. 20-A MRSA §4271, sub-§3**, as enacted by PL 2013, c. 581, §3, is amended to read:

**3. Grant funds.** Beginning with the 2015-2016 school year and for each subsequent school year, the commissioner may provide start-up funding to qualified school administrative units to operate public pre-school programs for children 4 years of age. Grants provided for allowable costs for approved public pre-school programs must be provided from state, federal or private funds appropriated, allocated or authorized by the Legislature for that purpose and must include \$4,000,000 annually in revenues distributed from general purpose aid for local schools that the department receives from casino slot machines or casino table games pursuant to section 15671, subsection 5-A. Any balance of funds appropriated, allocated or authorized by the Legislature remaining at the end of a

fiscal year do not lapse and are carried forward to the next fiscal year to carry out the purposes of this subchapter.

**Sec. C-6. 20-A MRSA §4271, sub-§3-A** is enacted to read:

**3-A. Phase-in procedures for new or newly expanded public preschool programs.** Beginning July 1, 2018, for new or newly expanded public preschool programs, the commissioner shall make a preliminary calculation of total allocation pursuant to section 15674 based on the following:

A. Estimated public preschool program student counts not to exceed the school unit's most recent kindergarten enrollment;

B. Estimated rates and weights based on state-wide averages; and

C. The preliminary calculation of total allocation, which must be replaced with actual student data once students have been enrolled for the new school year. The new or newly expanded public preschool programs shall enroll new students no later than August 1st in a student information system maintained by the department.

**Sec. C-7. 20-A MRSA §4722-A, sub-§4,** as amended by PL 2015, c. 489, §2, is repealed.

**Sec. C-8. 20-A MRSA §4775,** as amended by PL 2013, c. 368, Pt. C, §2, is further amended to read:

**§4775. Payment; appropriations**

The Until the 2018-2019 school year, the department shall pay 50% of the in-state tuition for the first 6 credit hours taken each semester by a student at an eligible institution and up to 12 credit hours per academic year. The eligible institution may not make any additional tuition charges for the course but may impose fees and charges, other than tuition, that are ordinarily imposed on students not covered by this chapter. Funds appropriated to the department to carry out the purposes of this chapter must be in addition to the customary and ongoing amounts appropriated for general purpose aid for local schools.

Beginning with the 2018-2019 school year, the department shall reimburse each eligible institution the cost of in-state tuition up to the maximum rate, calculated as follows: 50% of the average in-state tuition rate for the highest and lowest in-state tuition rates established by the University of Maine System for eligible institutions within the system for the first 6 credit hours taken each semester by a student at an eligible institution and up to 12 credit hours per academic year. The eligible institution may not make any additional tuition charges for the course but may impose fees and charges, other than tuition, that are ordinarily imposed on students not covered by this chapter. Funds appropriated to the department to carry out

the purposes of this chapter must be in addition to the customary and ongoing amounts appropriated for general purpose aid for local schools.

**Sec. C-9. 20-A MRSA §6051, sub-§1, ¶J,** as amended by PL 2013, c. 167, Pt. A, §4, is further amended to read:

J. A determination of whether the school administrative unit has complied with the applicable provisions of the unexpended balances requirements established under section 15004; ~~and~~

**Sec. C-10. 20-A MRSA §6051, sub-§1, ¶K,** as enacted by PL 2013, c. 167, Pt. A, §5, is amended to read:

K. A schedule of expenditures of federal awards; ~~and~~

**Sec. C-11. 20-A MRSA §6051, sub-§1, ¶L** is enacted to read:

L. Beginning July 1, 2017, a determination of whether the school administrative unit has complied with section 15675, subsection 2.

**Sec. C-12. 20-A MRSA §6955** is enacted to read:

**§6955. Repeal**

This chapter is repealed July 1, 2019.

**Sec. C-13. 20-A MRSA §8232, sub-§2,** as enacted by PL 2015, c. 363, §4, is amended to read:

**2. Tuition; room and board; funding.** Students from this State may attend the school free of tuition charges. Additional funding for students from this State may be provided within amounts appropriated for that purpose as follows.

~~A. The amount must be paid in 4 equal quarterly payments during the year of attendance. The first payment must be made by July 31st. The amount of tuition and other costs paid for all students is limited to the amount appropriated for this purpose. State funding for the school must be provided using the method established for public charter schools that are authorized by the commission in accordance with the funding provisions established in section 2413-A and section 15683-B. To be eligible for state funding under this paragraph, a student must have resided in Maine with a parent, other relative or guardian for at least 6 months immediately preceding application to the school.~~

~~B. Except as otherwise provided in this paragraph, effective July 1, 2018, the student or the student's parent or guardian shall pay to the school the cost of room and board for the school year. In the case of financial need, the State shall pay to the school the difference between the cost of room and board and the student's or the student's fam-~~

ily's ability to pay that cost. The board of trustees shall establish rules governing the determination of financial need and the cost and schedule of payment of room and board under this paragraph. The determination of financial need must be based on a nationally recognized public or private school financial needs assessment system. A student may use scholarship funds in place of payment for all or part of the cost of room and board and any other fees or expenses incurred as a result of that student's enrollment at the school.

**Sec. C-14. 20-A MRSA §15671, first ¶,** as enacted by PL 2001, c. 660, §1, is amended to read:

Essential programs and services are those educational resources that are identified in this chapter necessary to ensure the opportunity for all students to meet the standards in the 8 content standard subject areas and goals of the system of learning results established in chapter 222. In order to achieve this system of learning results, school funding based on essential programs and services must be available in all schools on an equitable basis. Essential programs and services utilize resources ~~including federal funds~~ that are currently provided or could be adapted to implement a system of learning results, as well as additional resources including federal funds that are also needed to ensure that these programs and services are available to all students. These essential programs and services must provide the basis for the system of school funding no later than 2007-08. School funding must be adequate to fully provide for all of the staffing and other material resource needs of the essential programs and services identified by the Legislature.

**Sec. C-15. 20-A MRSA §15671, sub-§1,** as amended by PL 2015, c. 267, Pt. L, §10, is further amended to read:

**1. State and local partnership.** The State and each local school administrative unit are jointly responsible for contributing to the cost of the components of essential programs and services described in this chapter. Except as otherwise provided in this subsection, for each fiscal year, the total cost of the components of essential programs and services may not exceed the prior fiscal year's costs multiplied by one plus the average personal income growth rate as defined in Title 5, section 1665, subsection 1. The Legislature, by an affirmative vote of each House, may exceed the limitations on increases in the total cost of the components of essential programs and services provided in this subsection, as long as that vote is taken upon legislation stating that it is the Legislature's intent to override the limitation for that fiscal year. The state contribution to the cost of the components of essential programs and services, ~~exclusive of federal funds that are provided and accounted for in the cost of the components of essential programs and services,~~ must be made in accordance with this subsection:

A. The level of the state share of funding attributable to the cost of the components of essential programs and services must be at least 50% of eligible state and local General Fund education costs statewide, no later than fiscal year 2006-07; and

B. By fiscal year 2008-09 the state share of the total cost of funding public education from kindergarten to grade 12, as described by essential programs and services, must be 55%. Beginning in fiscal year 2005-06 and in each fiscal year until fiscal year 2008-09, the state share of essential programs and services described costs must increase toward the 55% level required in fiscal year 2008-09.

Beginning in fiscal year 2005-06 and in each fiscal year thereafter, the commissioner shall use the funding level determined in accordance with this section as the basis for a recommended funding level for the state share of the cost of the components of essential programs and services.

**Sec. C-16. 20-A MRSA §15671, sub-§5-A,** as amended by PL 2015, c. 267, Pt. C, §5, is further amended to read:

**5-A. Funds from casino slot machines or table games.** Revenues received by the department from casino slot machines or casino table games pursuant to Title 8, section 1036, subsection 2-A, paragraph A or Title 8, section 1036, subsection 2-B, paragraph A must be distributed ~~until the end of fiscal year 2014-15~~ as general purpose aid for local schools, and each school administrative unit shall make its own determination as to how to allocate these resources. ~~Beginning in fiscal year 2017-18, \$4,000,000 in revenues must be distributed by the department to provide start-up funds for approved public preschool programs for children 4 years of age in accordance with chapter 203, subchapter 3.~~ Neither the Governor nor the Legislature may divert the revenues payable to the department to any other fund or for any other use. Any proposal to enact or amend a law to allow distribution of the revenues paid to the department from casino slot machines or casino table games for another purpose must be submitted to the Legislative Council and to the joint standing committee of the Legislature having jurisdiction over education matters at least 30 days prior to any vote or public hearing on the proposal.

**Sec. C-17. 20-A MRSA §15671, sub-§6,** as amended by PL 2005, c. 519, Pt. LL, §1, is further amended to read:

**6. Targeted funds.** Funds for technology, implementation of a standards-based system and the costs of additional investments in educating children in kindergarten to grade 2 as described in section 15681 must be provided as targeted allocations. School administrative units shall submit a plan for the

use of these funds and receive funding based on approval of the plan by the commissioner. State funds for extended learning provided above the basic economically disadvantaged student adjustment in section 15675, subsection 2 must also be provided as targeted allocations and restricted to approved programs that benefit economically disadvantaged students.

**Sec. C-18. 20-A MRSA §15671, sub-§7, ¶A**, as amended by PL 2013, c. 368, Pt. C, §6, is further amended to read:

A. The base total calculated pursuant to section 15683, subsection 2 is subject to the following annual targets.

- (1) For fiscal year 2005-06, the target is 84%.
- (2) For fiscal year 2006-07, the target is 90%.
- (3) For fiscal year 2007-08, the target is 95%.
- (4) For fiscal year 2008-09, the target is 97%.
- (5) For fiscal year 2009-10, the target is 97%.
- (6) For fiscal year 2010-11, the target is 97%.
- (7) For fiscal year 2011-12, the target is 97%.
- (8) For fiscal year 2012-13, the target is 97%.
- (9) For fiscal year years 2013-14 and succeeding years, 2014-15, 2015-16, 2016-17 and 2017-18, the target is 97%.
- (10) For fiscal year 2018-19 and succeeding years, the target is 100%.

**Sec. C-19. 20-A MRSA §15671, sub-§7, ¶B**, as amended by PL 2015, c. 389, Pt. C, §3 and c. 481, Pt. D, §1, is further amended to read:

B. The annual targets for the state share percentage of the statewide adjusted total cost of the components of essential programs and services are as follows.

- (1) For fiscal year 2005-06, the target is 52.6%.
- (2) For fiscal year 2006-07, the target is 53.86%.
- (3) For fiscal year 2007-08, the target is 53.51%.
- (4) For fiscal year 2008-09, the target is 52.52%.

(5) For fiscal year 2009-10, the target is 48.93%.

(6) For fiscal year 2010-11, the target is 45.84%.

(7) For fiscal year 2011-12, the target is 46.02%.

(8) For fiscal year 2012-13, the target is 45.87%.

(9) For fiscal year 2013-14, the target is 47.29%.

(10) For fiscal year 2014-15, the target is 46.80%.

(11) For fiscal year 2015-16, the target is 47.54%.

(12) For fiscal year 2016-17, the target is 48.14%.

(13) For fiscal year 2017-18, the target is 49.14%.

(14) For fiscal year 2018-19, the target is 50.14%.

**Sec. C-20. 20-A MRSA §15671, sub-§7, ¶C**, as amended by PL 2015, c. 389, Pt. C, §4 and c. 481, Pt. D, §2, is further amended to read:

C. Beginning in fiscal year 2011-12, the annual targets for the state share percentage of the total cost of funding public education from kindergarten to grade 12 including the cost of the components of essential programs and services plus the state contributions to ~~teacher retirement~~ the unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teachers' health insurance and retired teachers' life insurance are as follows.

(1) For fiscal year 2011-12, the target is 49.47%.

(2) For fiscal year 2012-13, the target is 49.35%.

(3) For fiscal year 2013-14, the target is 50.44%.

(4) For fiscal year 2014-15, the target is 50.13%.

(5) For fiscal year 2015-16, the target is 50.08%.

(6) For fiscal year 2016-17, the target is 50.82%.

(7) For fiscal year 2017-18 ~~and succeeding years~~, the target is ~~55%~~ 52.02%.

(8) For fiscal year 2018-19, the target is 53.02%.

**Sec. C-21. 20-A MRSA §15671-A, sub-§1,** ¶C, as enacted by PL 2005, c. 2, Pt. D, §35 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is amended to read:

C. "Statewide total local share" means the local share, calculated on a statewide basis, of the statewide total cost of the components of essential programs and services as adjusted, if at all, pursuant to section 15671, subsection 7 to reflect the application of the transition targets to the base total component.

**Sec. C-22. 20-A MRSA §15671-A, sub-§2,** ¶A, as amended by PL 2005, c. 2, Pt. D, §35 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is further amended to read:

A. ~~The~~ Based on the funding requirements established in section 15671, the commissioner shall annually by February 1st notify each school administrative unit of its local cost share expectation and tabulate that local cost share expectation, total allocation and the projected state subsidy for each school administrative unit and post those tabulations, itemized by school administrative unit, on the department's publicly accessible website. Each superintendent shall report to the municipal officers whenever a school administrative unit is notified of the local cost share expectation or a change made in the local cost share expectation resulting from an adjustment.

**Sec. C-23. 20-A MRSA §15671-A, sub-§2,** ¶B, as amended by PL 2015, c. 389, Pt. C, §5 and c. 481, Pt. D, §3, 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 neces-

sary 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 46.49% statewide total local share in fiscal year 2007-08.

(4) For the 2008 property tax year, the full-value education mill rate is the amount necessary to result in a 47.48% statewide total local share in fiscal year 2008-09.

(4-A) For the 2009 property tax year, the full-value education mill rate is the amount necessary to result in a 51.07% statewide total local share in fiscal year 2009-10.

(4-B) For the 2010 property tax year, the full-value education mill rate is the amount necessary to result in a 54.16% statewide total local share in fiscal year 2010-11.

(4-C) For the 2011 property tax year, the full-value education mill rate is the amount necessary to result in a 53.98% statewide total local share in fiscal year 2011-12.

(5) For the 2012 property tax year, the full-value education mill rate is the amount necessary to result in a 54.13% statewide total local share in fiscal year 2012-13.

(6) For the 2013 property tax year, the full-value education mill rate is the amount necessary to result in a 52.71% statewide total local share in fiscal year 2013-14.

(7) For the 2014 property tax year, the full-value education mill rate is the amount necessary to result in a 53.20% statewide total local share in fiscal year 2014-15.

(8) For the 2015 property tax year, the full-value education mill rate is the amount necessary to result in a 52.46% statewide total local share in fiscal year 2015-16.

(9) For the 2016 property tax year, the full-value education mill rate is the amount necessary to result in a 51.86% statewide total local share in fiscal year 2016-17.

(10) For the 2017 property tax year ~~and subsequent tax years~~, the full-value education mill rate is the amount necessary to result in a ~~45%~~ 50.86% statewide total local share in fiscal year 2017-18 ~~and after~~.

(11) For the 2018 property tax year and subsequent tax years, the full-value education mill rate is the amount necessary to result in a 45% statewide total local share in fiscal year 2018-19 and after.

**Sec. C-24. 20-A MRSA §15671-A, sub-§5,** as amended by PL 2005, c. 519, Pt. AAAA, §2, is further amended to read:

**5. Exceeding maximum state and local spending target.** If the sum of a school administrative unit's required local contribution determined pursuant to section 15688, subsection 3-A plus the state contribution as calculated pursuant to section 15688, subsection 3-A, paragraph D, ~~plus any state funds resulting from a transition adjustment pursuant to section 15686,~~ plus any additional local amount proposed to be raised pursuant to section 15690, subsection 3 exceeds the school administrative unit's maximum state and local spending target established pursuant to subsection 4, the following provisions govern approval of that additional amount.

A. The article approving the additional amount must conform to the requirements of section 15690, subsection 3, paragraph B. Notwithstanding section 1304, subsection 6; section 1701, subsection 7; Title 30-A, section 2528, subsection 5, or any other provision of law, municipal charter provision or ordinance, voter approval of the article, whether in town meeting, district meeting or other voting process established by law, municipal charter or ordinance, including, but not limited to, any vote on the article initiated by voter petition, must be by referendum or written ballot.

B. In a municipality where the responsibility for final adoption of the school budget is vested by the municipal charter in a council, this paragraph applies, except that the petition and referendum provisions apply only if the municipal charter does not otherwise provide for or prohibit a petition and referendum process with respect to the matters described in this paragraph.

(1) A majority of the entire membership of the school board or committee must approve the additional amount in a regular budget meeting.

(2) An article approving the additional amount must conform to the requirements of section 15690, subsection 3, paragraph B and be approved by a majority of the entire membership of the council in a vote taken in accordance with section 15690, subsection 5 or, if the council votes not to approve the article, by a majority of voters voting in a referendum called pursuant to subparagraph (4).

(3) If an article is approved by the council pursuant to subparagraph (2), the voters may petition for a referendum vote on the same article in accordance with subparagraph (4). If a petition is filed in accordance with subparagraph (4), the vote of the council is suspended pending the outcome of the referendum vote.

Upon approval of the article by a majority of the voters voting in that referendum, the article takes effect. If the article is not approved by a majority of the voters voting in that referendum, the article does not take effect. Subsequent to the vote, the school committee or board may again propose an additional amount, subject to the requirements of this section.

(4) If a written petition, signed by at least 10% of the number of voters voting in the last gubernatorial election in the municipality, requesting a vote on the additional amount is submitted to the municipal officers within 30 days of the council's vote pursuant to subparagraph (2), the article voted on by the council must be submitted to the legal voters in the next regular election or a special election called for the purpose. The election must be held within 45 days of the submission of the petition. The election must be called, advertised and conducted according to the law relating to municipal elections, except that the registrar of voters is not required to prepare or the clerk to post a new list of voters and absentee ballots must be prepared and made available at least 14 days prior to the date of the referendum. For the purpose of registration of voters, the registrar of voters must be in session the secular day preceding the election. The voters shall indicate by a cross or check mark placed against the word "Yes" or "No" their opinion on the article. The results must be declared by the municipal officers and entered upon the municipal records.

**Sec. C-25. 20-A MRSA §15672, sub-§8,** as enacted by PL 2003, c. 504, Pt. A, §6, is amended to read:

**8. Essential programs and services.** "Essential programs and services" means those educational resources that are identified in this chapter that enable all students to meet the standards in the 8 content standard subject areas and goals of the system of learning results established in chapter 222.

**Sec. C-26. 20-A MRSA §15672, sub-§14-A** is enacted to read:

**14-A. Kindergarten.** "Kindergarten" means kindergarten or a prekindergarten early education program for students who are at least 4 years of age on October 15th of the school year.

**Sec. C-27. 20-A MRSA §15672, sub-§23, ¶¶B and C,** as enacted by PL 2013, c. 203, §1, are amended to read:

B. For fiscal year 2014-15, the average of the certified state valuations for the 2 most recent years

prior to the most recently certified state valuation; ~~and~~

C. For fiscal ~~year years~~ 2015-16 ~~and each subsequent fiscal year, 2016-17 and 2017-18~~, the average of the certified state valuations for the 3 most recent years prior to the most recently certified state valuation; ~~and~~

**Sec. C-28. 20-A MRSA §15672, sub-§23,** ~~is enacted to read:~~

~~D. For fiscal year 2018-19 and each subsequent fiscal year, the average of the certified state valuations for the 2 most recent years prior to the most recently certified state valuation.~~

**Sec. C-29. 20-A MRSA §15674, sub-§1,** as amended by PL 2007, c. 667, §15, is further amended to read:

**1. Pupil counts used for determination of operating costs.** In addition to the additional weighted counts authorized under section 15675 and except as provided in subsection 2, the pupil count used for operating costs in this Act is the sum of:

A. The average number of secondary school-age persons enrolled in an adult education course counted during the most recent calendar year counted pursuant to section 8605, subsection 2;

B. The average number of students in equivalent instruction programs during the most recent calendar year, as reported pursuant to section 5021, subsection 8; and

C. ~~The greater of~~ Beginning in fiscal year 2018-19:

(1) The average of the ~~2~~ pupil counts for ~~April 1st and October 1st of the 2 most recent calendar year years~~ prior to the year of funding, reported in accordance with section 6004, including the counts of students enrolled in an alternative education program made in accordance with section 5104-A; ~~and.~~

(2) ~~The average of the 6 pupil counts for April 1st and October 1st of the 3 most recent calendar years prior to the year of funding, reported in accordance with section 6004, including the counts of students enrolled in an alternative education program and counted in accordance with section 5104 A.~~

**Sec. C-30. 20-A MRSA §15675, sub-§2,** as enacted by PL 2003, c. 504, Pt. A, §6, is amended to read:

**2. Economically disadvantaged students.** For each economically disadvantaged student, ~~a school administrative unit receives an additional weight of .15. The number of economically disadvantaged stu-~~

~~dents for each unit is determined by multiplying the number of resident pupils in the most recent calendar year by the most recent available elementary free or reduced price meals percentage. The elementary free or reduced price meals percentage may be applied to determine the number of economically disadvantaged students in the unit's secondary grades. an eligible school administrative unit receives the following additional weights:~~

A. An additional weight of .15. The number of economically disadvantaged students for each school administrative unit is determined by multiplying the number of resident pupils in the most recent calendar year by the most recent available elementary free or reduced-price meals percentage. The elementary free or reduced-price meals percentage may be applied to determine the number of economically disadvantaged students in the unit's secondary grades; and

B. An additional weight for approved extended learning programs that specifically benefit economically disadvantaged students equal to .05. The commissioner shall approve qualifying extended learning programs based on evidence-based research by a statewide education policy research institute.

To be eligible to receive funds under this paragraph, a school administrative unit must certify that any funds previously received under this section and any funds that will be received are used in direct support of learning for economically disadvantaged students through summer schools, extended learning programs, tutoring and other evidence-based practices conforming to rules developed by the department and informed by evidence from a statewide education policy research institute.

**Sec. C-31. 20-A MRSA §15676, sub-§§1 and 2,** as corrected by RR 2011, c. 2, §19, are amended to read:

**1. Teaching staff costs.** ~~The Beginning July 1, 2017, the salary and benefit costs for school level teaching staff that are necessary to carry out this Act, calculated in accordance with section 15678; and adjusted by the regional adjustment under section 15682 and reduced by the amount of funds received by the school administrative unit during the most recent fiscal year under Title I of the federal Elementary and Secondary Education Act of 1965, 20 United States Code, Section 6301 et seq;~~

**2. Other staff costs.** ~~The Beginning July 1, 2017, the salary and benefit costs for school-level staff who are not teachers, but including substitute teachers, that are necessary to carry out this Act, calculated in accordance with section 15679; and adjusted by the regional adjustment under section 15682 and reduced~~

by the amount of funds received by the school administrative unit during the most recent fiscal year under Title I of the federal Elementary and Secondary Education Act of 1965, 20 United States Code, Section 6301 et seq.; and

**Sec. C-32. 20-A MRSA §15678, sub-§2**, as enacted by PL 2003, c. 504, Pt. A, §6, is amended to read:

**2. Ratios.** In calculating the salary and benefit costs pursuant to this section, the commissioner shall utilize the following student-to-teacher ratios.

A. For the elementary school level, the student-to-teacher ratio is 17:1.

B. For the middle school level, beginning July 1, 2017, the student-to-teacher ratio is ~~16:1~~ 17:1.

C. For the high school level, beginning July 1, 2017, the student-to-teacher ratio is ~~15:1~~ 16:1.

D. For the kindergarten level, beginning July 1, 2018, the student-to-teacher ratio is 15:1.

**Sec. C-33. 20-A MRSA §15679, sub-§2**, ~~¶¶A and B~~, as enacted by PL 2003, c. 504, Pt. A, §6, are amended to read:

A. For the elementary school level and the middle school level:

(1) ~~The~~ Beginning July 1, 2017, the student-to-education technician ratio is ~~100:1~~ 114:1 for the elementary school level and 312:1 for the middle school level;

(2) The student-to-guidance staff ratio is 350:1;

(3) The student-to-librarian ratio is 800:1;

(4) The student-to-media assistant ratio is 500:1;

(5) The student-to-health staff ratio is 800:1;

(6) The student-to-school administrative staff ratio is 305:1; and

(7) The student-to-clerical staff ratio is 200:1.

B. For the high school level:

(1) ~~The~~ Beginning July 1, 2017, the student-to-education technician ratio is ~~250:1~~ 316:1;

(2) The student-to-guidance staff ratio is 250:1;

(3) The student-to-librarian ratio is 800:1;

(4) The student-to-media assistant ratio is 500:1;

(5) The student-to-health staff ratio is 800:1;

(6) The student-to-school administrative staff ratio is 315:1; and

(7) The student-to-clerical staff ratio is 200:1.

**Sec. C-34. 20-A MRSA §15680, sub-§1**, ~~¶A~~, as amended by PL 2007, c. 240, Pt. XXXX, §25, is repealed.

**Sec. C-35. 20-A MRSA §15680-A** is enacted to read:

**§15680-A. System administration allocation**

Beginning in fiscal year 2017-18, the commissioner shall determine system administration allocation in accordance with this section based on the number of subsidizable students determined pursuant to section 15674.

**1. Fiscal year 2017-18.** For fiscal year 2017-18, the system administration allocation is \$135 per pupil.

**2. Fiscal year 2018-19.** For fiscal year 2018-19, the system administration allocation is \$138 per pupil. Of this amount, \$92 must be allocated to the school administrative unit for system administration and \$46 must be allocated as a targeted amount to school administrative units that have established regionalized administrative services pursuant to chapter 123.

**3. Fiscal year 2019-20.** For fiscal year 2019-20, the system administration allocation is \$141 per pupil. Of this amount, \$47 must be allocated to the school administrative unit for system administration and \$94 must be allocated as a targeted amount to school administrative units that have established regionalized administrative services pursuant to chapter 123.

**4. Beginning in fiscal year 2020-21.** Beginning in fiscal year 2020-21, the per-pupil rate for the system administration allocation must be determined by the commissioner based on a review by a statewide education policy research institute of the system administration costs of high-performing, efficient school administrative units. Only school administrative units that have established regionalized administrative services pursuant to chapter 123 and school administrative units for which the percentage of system administration expenditures of districts identified as high-performing, efficient school administrative units by a statewide education policy research institute are eligible for the system administration allocation.

**Sec. C-36. 20-A MRSA §15681, sub-§6**, as enacted by PL 2011, c. 635, Pt. A, §5, is repealed.

**Sec. C-37. 20-A MRSA §15681-A, sub-§2**, as enacted by PL 2005, c. 2, Pt. D, §44 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is amended to read:

**2. Special education costs.** Beginning in fiscal year 2005-06, a ~~A~~ school administrative unit receives an additional weight of at least 1.20 but not greater than 1.40 1.50 for each special education student identified on the annual December 1st child count as required by the federal Individuals with Disabilities

Education Act for the most recent year, up to a maximum of 15% of the school administrative unit's resident pupils as determined under section 15674, subsection 1, paragraph C, subparagraph (1). For those school administrative units in which the annual December 1st child count for the most recent year is less than 15% of the school administrative unit's resident pupils as determined under section 15674, subsection 1, paragraph C, subparagraph (1), the special education child count percentage may not increase more than 0.5% in any given year, up to a maximum of 1.0% in any given 3-year period. For each special education student above the 15% maximum, the unit receives an additional weight of .38. In addition, each school administrative unit must receive additional ~~funds~~ allocations:

A. For lower staff-student ratios and expenditures for related services for school administrative units with fewer than 20 special education students identified on the annual December 1st child count as required by the federal Individuals with Disabilities Education Act for the most recent year;

B. For high-cost in-district special education placements. Additional funds must be allocated for each student estimated to cost 3 times the statewide special education EPS per-pupil rate. The additional funds for each student must equal the amount by which that student's estimated costs exceed 3 times the statewide special education EPS per-pupil rate;

~~C. For high-cost out-of-district special education placements. Additional funds must be allocated for each student estimated to cost 4 times the statewide special education EPS per-pupil rate. The additional funds for each student must equal the amount by which that student's estimated costs exceed 4 times the statewide special education EPS per-pupil rate; and~~

D. ~~To Beginning July 1, 2018, to ensure the school administrative unit meets the federal maintenance of effort requirement for receiving federal Individuals with Disabilities Education Act funds in accordance with recommendations of any legislative task force established in the First Regular Session of the 128th Legislature to identify special education cost drivers and innovative approaches to services; and~~

E. A separate allocation must be determined for high-cost out-of-district special education placements in accordance with this paragraph.

(1) For private school placements, additional funds must be allocated for each student estimated to cost 4 times the statewide special education EPS per-pupil rate. The additional funds for each student must equal the amount by which that student's estimated costs ex-

ceed 4 times the statewide special education EPS per-pupil rate.

(2) For public school placements, additional funds must be allocated for each student estimated to cost 3 times the statewide special education EPS per-pupil rate. The additional funds for each student must equal the amount by which that student's estimated costs exceed 3 times the statewide special education EPS per-pupil rate.

(3) For public regional special education program placements, additional funds must be allocated for each student estimated to cost 2 times the statewide special education EPS per-pupil rate. The additional funds for each student must equal the amount by which that student's estimated costs exceed 2 times the statewide special education EPS per-pupil rate. Resident students for the fiscal agent of the regional special education program are considered out-of-district placements for purposes of this determination. The commissioner may expend and disburse funds pursuant to section 15689, subsection 9 for direct contractual agreements to provide legal services, facilitation services and other services to assist a school administrative unit with planning and implementing a regional special education program.

The commissioner shall develop an appeals procedure for calculated special education costs for school administrative units;

**Sec. C-38. 20-A MRSA §15681-A, sub-§2-A**, as enacted by PL 2007, c. 240, Pt. XXXX, §27, is repealed.

**Sec. C-39. 20-A MRSA §15681-A, sub-§3-A**, as enacted by PL 2007, c. 240, Pt. XXXX, §28, is repealed.

**Sec. C-40. 20-A MRSA §15681-A, sub-§4**, as amended by PL 2015, c. 267, Pt. C, §9, is further amended to read:

**4. Career and technical education costs.** Career and technical education costs in the base year adjusted to the year prior to the allocation year. This subsection does not apply to the ~~2017-18~~ 2018-19 funding year and thereafter; and

**Sec. C-41. 20-A MRSA §15683, sub-§1, ¶E**, as amended by PL 2005, c. 2, Pt. D, §47 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is further amended to read:

E. If the school administrative unit is eligible for targeted kindergarten to grade 2 funds pursuant to section 15681, subsection 1, the product of the EPS per-pupil rate multiplied by the additional

weight for kindergarten to grade 2 calculated pursuant to section 15675, subsection 3; and

**Sec. C-42. 20-A MRSA §15683, sub-§1, ¶E-1** is enacted to read:

E-1. If the school administrative unit is eligible for the targeted extended learning weight pursuant to section 15675, the product of the EPS per-pupil rate multiplied by the additional weight for extended learning calculated pursuant to section 15675, subsection 2; and

**Sec. C-43. 20-A MRSA §15686**, as amended by PL 2005, c. 519, Pt. AAAA, §11, is repealed.

**Sec. C-44. 20-A MRSA §15686-A**, as amended by PL 2015, c. 389, Pt. C, §6 and c. 489, §8, is further amended to read:

**§15686-A. Review of essential programs and services components**

**1. Components to be reviewed beginning in fiscal year 2017-18.** Beginning in fiscal year ~~2006-07~~ 2017-18, and at least every 3 years thereafter, the commissioner, using information provided by a statewide education policy research institute, shall review the essential programs and services student-to-staff ratios, salary and benefits matrices, ~~transportation~~, small schools adjustments, labor markets and gifted and talented components and components related to implementation of proficiency-based reporting and graduation requirements under this chapter and shall submit to the joint standing committee of the Legislature having jurisdiction over education matters any recommended changes for legislative action.

**2. Components to be reviewed beginning in fiscal year 2018-19.** Beginning in fiscal year ~~2007-08~~ 2018-19, and at least every 3 years thereafter, the commissioner, using information provided by a statewide education policy research institute, shall review the essential programs and services career and technical education, special education, specialized student populations, system administration and operations and maintenance components under this chapter and shall submit to the joint standing committee of the Legislature having jurisdiction over education matters any recommended changes for legislative action.

**3. Components to be reviewed beginning in fiscal year 2019-20.** Beginning in fiscal year ~~2008-09~~ 2019-20, and at least every 3 years thereafter, the commissioner, using information provided by a statewide education policy research institute, shall review the essential programs and services professional development, student assessment, technology, transportation, leadership support, cocurricular and extra-curricular activities, supplies and equipment and, beginning in fiscal year 2016-17, charter school components under this chapter and shall submit to the joint standing committee of the Legislature having jurisdiction

over education matters any recommended changes for legislative action.

~~**4. Components to be reviewed beginning in fiscal year 2017-18.** Beginning in fiscal year 2017-18, and at least every 3 years thereafter, the commissioner, using information provided by a statewide education policy research institute, shall review the essential programs and services components under this chapter related to implementation of proficiency based reporting and graduation requirements and shall submit to the joint standing committee of the Legislature having jurisdiction over education matters any recommended legislative changes.~~

The commissioner may adjust the schedule by replacing one component in one year with another component in another year if information on a specific component is needed in an earlier time frame. This replacement may not result in a component's being reviewed beyond a 4-year period. The commissioner may include a review of one or more of the components from sections 15688-A, 15689 and 15689-A to the schedule in addition to the components listed in this section.

**Sec. C-45. 20-A MRSA §15688-A, sub-§1**, as amended by PL 2015, c. 267, Pt. C, §10, is further amended to read:

**1. Career and technical education costs.** Beginning in fiscal year ~~2017-18~~ 2018-19, the allocation for career and technical education must be based upon a program-driven model that considers components for direct instruction, central administration, supplies, operation and maintenance of plant, other student and staff support and equipment. Monthly payments must be made directly to school administrative units with career and technical education centers and directly to career and technical education regions. If a school administrative unit with a career and technical education center or a career and technical education region has any unexpended funds at the end of the fiscal year, these funds must be carried forward for the purposes of career and technical education.

**Sec. C-46. 20-A MRSA §15688-A, sub-§3**, as amended by PL 2015, c. 489, §9, is repealed.

**Sec. C-47. 20-A MRSA §15688-A, sub-§5**, as enacted by PL 2015, c. 267, Pt. C, §11, is amended to read:

**5. School improvement and support.** The commissioner may expend and disburse funds to support school improvement activities to school administrative units whose eligibility and priority is established pursuant to section 6214 in accordance with chapter 222.

**Sec. C-48. 20-A MRSA §15688-A, sub-§7**, as enacted by PL 2015, c. 267, Pt. C, §11, is repealed.

**Sec. C-49. 20-A MRSA §15689, sub-§1,** ¶A, as amended by PL 2013, c. 1, Pt. C, §4, is further amended to read:

A. The sum of the following calculations:

(1) Multiplying 5% of each school administrative unit's essential programs and services per-pupil elementary rate by the average number of resident kindergarten to grade 8 pupils as determined under section 15674, subsection 1, paragraph C, subparagraph (1); and

(2) Multiplying 5% of each school administrative unit's essential programs and services per-pupil secondary rate by the average number of resident grade 9 to grade 12 pupils as determined under section 15674, subsection 1, paragraph C, subparagraph (1); and

~~The 5% factor in subparagraphs (1) and (2) must be replaced by: 4% for the 2009-10 funding year including funds provided under Title XIV of the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009; 3% for the 2010-11 funding year including funds provided under Title XIV of the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009; 3% for the 2011-12 funding year; and 3% for the 2012-13 funding year and subsequent years; and~~

**Sec. C-50. 20-A MRSA §15689, sub-§1,** ¶B, as amended by PL 2015, c. 389, Pt. C, §7, 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, 45%;
- (5) In fiscal year 2009-10, 40% including funds provided under Title XIV of the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009;
- (6) In fiscal year 2010-11, 35% including funds provided under Title XIV of the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009;
- (7) In fiscal year 2011-12, 30%;
- (8) In fiscal year 2012-13, 30%;
- (9) In fiscal year 2013-14, 35%;
- (10) In fiscal year 2014-15, 30%;

- (11) In fiscal year 2015-16, 30%;
- (12) In fiscal year 2016-17, 30%;
- (13) In fiscal year 2017-18, ~~35%~~ 33%;
- (14) In fiscal year 2018-19, 40%;
- (15) In fiscal year 2019-20, 45%; and
- (16) In fiscal year 2020-21 and succeeding years, 50%.

**Sec. C-51. 20-A MRSA §15689, sub-§11,** ¶B, as amended by PL 2013, c. 1, Pt. C, §5, is further amended to read:

B. The amount of the adjustment for economically disadvantaged students is the difference, but not less than zero, between the state share of the total allocation under this chapter and the amount computed as the school administrative unit's total allocation for economically disadvantaged students, multiplied by the relevant percentage in subsection 1, paragraph B. ~~For the 2012-13 funding year, this adjustment is reduced to 98% of the amount otherwise calculated under this paragraph.~~

**Sec. C-52. 20-A MRSA §15689, sub-§13,** ¶A, as reallocated by RR 2011, c. 2, §20, is amended to read:

A. Approval of bus refurbishing must be based on eligibility requirements established by the commissioner, including, but not limited to, the age, mileage and expected useful life of the bus. Bus refurbishing includes safety upgrades and may include technology capability.

**Sec. C-53. 20-A MRSA §15689, sub-§§14 and 15** are enacted to read:

**14. MaineCare seed for school administrative units.** The commissioner may deduct from a school administrative unit's state subsidy and pay on behalf of the school administrative unit allowable school-based costs that represent the school administrative unit's portion of MaineCare payments. A transfer of payment by the department to the Department of Health and Human Services must be made pursuant to a schedule agreed upon by the Department of Health and Human Services and the department and in a manner that remains in compliance with federal intergovernmental transfer requirements. No later than 90 days after the incurrence of allowable school-based payments to schools, the Department of Health and Human Services shall provide the detailed payment information to the department. The department shall make this information available and apply the adjustment to the appropriate school administrative units within 30 days of receipt of the detailed payment information from the Department of Health and Human Services.

**15. Special education budgetary hardship adjustment.** Beginning in fiscal year 2018-19, the fol-

lowing provisions apply to adjustments for special education budgetary hardships.

A. If a school administrative unit determined eligible pursuant to paragraph B petitions the commissioner and demonstrates that the unexpected education costs of placement of a student in a special education program will cause a budgetary hardship, the commissioner may provide to the unit an amount not to exceed the allowable costs of the placement less 3 times the statewide special education EPS per-pupil rate for in-district placements or less 4 times the statewide special education EPS per-pupil rate for out-of-district placements. The allowable costs are those special education costs described in section 15672, subsection 30-A, paragraphs A and B.

B. The commissioner shall determine that a school administrative unit is eligible for an adjustment under paragraph A if:

(1) The student's placement is a result of an appeal approved by the commissioner pursuant to section 5205, subsection 6 or the student became the fiscal responsibility of the school administrative unit after the passage of that unit's budget for the current fiscal year; and

(2) The school administrative unit's unexpected allowable costs result in a 5% or more increase in the percentage of the unit's special education budget category to the unit's total budget excluding the debt service budget category.

C. The funds for adjustments under paragraph A are limited to the amount appropriated by the Legislature for that purpose, and any unexpended balance from another program's appropriated amounts under this chapter may be applied by the commissioner toward the adjustments.

D. A school administrative unit may expend the funds from the adjustment under paragraph A without seeking approval by the unit's legislative body.

**Sec. C-54. 20-A MRSA §15689-A**, as amended by PL 2015, c. 63, §1 and c. 267, Pt. C, §§13 and 14 and Pt. GGG, §2 and corrected by RR 2015, c. 1, §15, is further amended to read:

**§15689-A. Authorization of payment of targeted education funds**

**1. Payment of state agency client costs.** State agency client costs are payable pursuant to this subsection. As used in this subsection, "state agency client" has the same meaning as defined in section 1, subsection 34-A.

A. The commissioner shall approve special education costs and supportive services, including transportation, for all state agency clients placed in residential placements by an authorized agent of a state agency.

B. Special education costs authorized by this subsection for state agency clients must be paid by the department in the allocation year at 100% of actual costs.

C. The commissioner shall pay only approved special education costs and supportive services, including transportation, authorized by this subsection for state agency clients and may not allocate for those special education costs and supportive services, including transportation, incurred by the school administrative unit for state agency clients in the base years starting July 1, 1985, and every base year thereafter.

D. Transportation costs for state agency clients, when provided in accordance with rules established by the commissioner under section 7204, must be paid by the department in the allocation year at 100% of actual costs.

E. The commissioner may pay tuition to school administrative units or private schools for the education of institutional residents within the limits of the allocation made under this section.

F. The commissioner may deduct from these funds and pay on behalf of the state agency clients allowable school-based costs that represent the State's portion of MaineCare payments. A transfer of payment by the department to the Department of Health and Human Services must be made pursuant to a schedule agreed upon by the Department of Health and Human Services and the department and in a manner that remains in compliance with federal intergovernmental transfer requirements.

~~**2. Education of institutional residents.** The commissioner may pay tuition to school administrative units or private schools for institutional residents within the limits of the allocation made under this section.~~

**3. Essential programs and services components contract.** The commissioner may contract for the updating of the essential programs and services component with a statewide education research institute.

~~**4. Learning results implementation, assessment and accountability.** The commissioner may expend and disburse funds limited to the amount appropriated by the Legislature to carry out the purposes of Public Law 1995, chapter 649, sections 5 and 8.~~

**6. Education research contract.** The commissioner may contract for the compilation and analysis of

education data with a statewide education research institute.

**7. Disbursement limitations.** The funds disbursed in accordance with this section are limited to the amounts appropriated by the Legislature for these purposes.

~~**8. Laptop program.** The commissioner may pay costs attributed to the contracted support services and annual payments for a program that provides laptop computers to middle school students.~~

**9. Emergency bus loan.** The commissioner may pay annual payments for an emergency bus loan.

**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.

**11. Courses for credit at eligible postsecondary institutions.** The commissioner may pay costs for secondary students to take postsecondary courses at eligible institutions. For the purposes of this subsection, "secondary student" includes a student in a home instruction program pursuant to section 5001-A, subsection 3, paragraph A, subparagraph (4) but does not include a student that is not a resident of the State pursuant to section 5205, subsection 10.

**12. National board certification salary supplement.** The commissioner may pay annual salary supplement payments to school administrative units or a publicly supported secondary school for payment to school teachers who have attained certification from the National Board for Professional Teaching Standards or its successor organization pursuant to section 13013-A.

**12-A. Learning through technology.** The commissioner may pay costs attributed to professional and administrative 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, professional development and training in the use of open educational resources and open-source textbooks 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 the All Other line category in the Learning Through Technology General Fund nonlapsing account sufficient to support the All Other costs 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.

**13. Jobs for Maine's Graduates.** The commissioner may expend and disburse funds for the Jobs for Maine's Graduates in accordance with the provisions of chapter 226.

**14. Maine School of Science and Mathematics.** The commissioner may expend and disburse funds for the Maine School of Science and Mathematics in accordance with the provisions of chapter 312.

**15. Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf.** The commissioner may expend and disburse funds for the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf in accordance with provisions of chapter 304.

**16. Transportation administration.** The commissioner may pay costs attributed to one Education Specialist III position professional and administrative staff support and system maintenance necessary to implement the transportation requirements of this chapter and chapter 215.

**17. Special education and coordination of services for juvenile offenders.** The commissioner may pay certain costs attributed to staff support and associated operating costs for providing special education and providing coordination of education, treatment and other services to 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 in the Long Creek Youth Development Center General Fund account within the Department of Corrections, sufficient to support 2 Teacher positions, and to the Mountain View Youth Development Center General Fund account within the Department of Corrections, sufficient to support one Teacher one Education Specialist II position and one Office Associate II position, may occur annually by financial order upon recommendation of the State Budget Officer and approval of the Governor.

~~**18. Coordination of services for juvenile offenders.** The commissioner may pay certain costs attributed to staff support 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 in the Long Creek Youth Development Center, General Fund account within the Department of Corrections sufficient to support one Education Specialist II position and one Office Associate II position and to the Mountain View Youth Development Center, General Fund account~~

within the Department of Corrections sufficient to support one Education Specialist II position and one Office Associate II position may occur annually by financial order upon recommendation of the State Budget Officer and approval of the Governor.

**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.

**20. Center of Excellence for At-risk Students.** The commissioner may expend and disburse funds for the Center of Excellence for At-risk Students in accordance with the provisions of chapter 227.

This subsection is repealed July 1, 2019.

**21. Fund for the Efficient Delivery of Educational Services.** The commissioner may expend and disburse funds from the Fund for the Efficient Delivery of Educational Services in accordance with the provisions of chapter 114-A.

~~**22. MaineCare seed for school administrative units.** The commissioner may deduct from a school administrative unit's state subsidy and pay on behalf of the school administrative unit allowable school-based costs that represent the school administrative unit's portion of MaineCare payments. A transfer of payment by the department to the Department of Health and Human Services must be made pursuant to a schedule agreed upon by the Department of Health and Human Services and the department and in a manner that remains in compliance with federal intergovernmental transfer requirements. No later than 90 days after the incurrence of allowable school-based payments to schools, the Department of Health and Human Services shall provide the detailed payment information to the department. The department shall make this information available and apply the adjustment to the appropriate school administrative units within 30 days of receipt of the detailed payment information from the Department of Health and Human Services.~~

**23. Comprehensive early college programs.** The commissioner may expend and disburse funds to support early college programs that:

- A. Provide secondary students with the opportunity to graduate from high school in 4 years with a high school diploma and at least 30 regionally accredited transferable postsecondary credits allowing for completion of an associate degree within one additional year of postsecondary schooling;
- B. Involve a high school, a career and technical education center or region and one or more institutions of higher education;
- C. Organize students into cohort groups and provide them with extensive additional guidance and support throughout the program with the goals of

raising aspirations, increasing employability and encouraging postsecondary degree attainment; and

D. Maintain a focus on serving students who might not otherwise pursue a postsecondary education.

~~**24. Postsecondary education attainment in Androscoggin County.** The commissioner shall expend and disburse \$75,000 in fiscal year 2015-16 and \$75,000 in fiscal year 2016-17 to support postsecondary education attainment in Androscoggin County.~~

**25. Community schools.** The commissioner may expend and disburse funds for the establishment of community schools in accordance with the provisions of chapter 333.

This subsection is repealed July 1, 2021.

**26. Maine School for Marine Science, Technology, Transportation and Engineering.** The commissioner may expend and disburse funds for the Maine School for Marine Science, Technology, Transportation and Engineering in accordance with the provisions of chapter 312-A.

**Sec. C-55. 20-A MRSA §15689-B, sub-§2-A,** as enacted by PL 2015, c. 54, §7, is amended to read:

**2-A. Notification of state contribution to public charter schools.** The commissioner shall annually, prior to February 1st, notify the governing board of each public charter school of the estimated amount of state contribution to be allocated to the public charter school pursuant to section 15683-B and post these estimated contributions on the department's publicly accessible website. The posted state contributions must be itemized for each public charter school within a single table and include the complete totals allocated for each public charter school including the amounts directed to the Maine Charter School Commission. These tabulations must be maintained as yearly records and updated whenever the department recalculates any allocations.

**Sec. C-56. 20-A MRSA §15905, sub-§1, ¶A,** as amended by PL 2015, c. 389, Pt. C, §10, is further amended to read:

A. The state board may approve projects as long as no project approval will cause debt service costs, as defined in section 15672, subsection 2-A, paragraph A and pursuant to Resolve 2007, chapter 223, section 4, to exceed the maximum limits specified in Table 1 in subsequent fiscal years.

Table 1	
Major Capital	Integrated, Consolidated Secondary and Postsecondary Project

Fiscal year	Maximum Debt Service Limit	Maximum Debt Service Limit
1990	\$ 48,000,000	
1991	\$ 57,000,000	
1992	\$ 65,000,000	
1993	\$ 67,000,000	
1994	\$ 67,000,000	
1995	\$ 67,000,000	
1996	\$ 67,000,000	
1997	\$ 67,000,000	
1998	\$ 67,000,000	
1999	\$ 69,000,000	
2000	\$ 72,000,000	
2001	\$ 74,000,000	
2002	\$ 74,000,000	
2003	\$ 80,000,000	
2004	\$ 80,000,000	
2005	\$ 84,000,000	
2006	\$ 90,000,000	
2007	\$ 96,000,000	
2008	\$100,000,000	
2009	\$104,000,000	
2010	\$108,000,000	
2011	\$126,000,000	
2012	\$116,000,000	
2013	\$116,000,000	
2014	\$126,000,000	\$10,000,000
2015	\$126,000,000	\$10,000,000
2016	\$126,000,000	\$10,000,000
2017	\$126,000,000	\$10,000,000
2018	\$126,000,000	\$10,000,000
2019	\$126,000,000	\$10,000,000
<u>2020</u>	<u>\$126,000,000</u>	<u>\$20,000,000</u>
<u>2021</u>	<u>\$126,000,000</u>	<u>\$20,000,000</u>
<u>2022</u>	<u>\$126,000,000</u>	<u>\$20,000,000</u>
<u>2023</u>	<u>\$126,000,000</u>	<u>\$20,000,000</u>

**Sec. C-57. PL 2015, c. 389, Pt. A, §1, sub-§3, first ¶** is amended to read:

**3. Meetings; duties.** The commission shall meet at least 6 times ~~each year~~ in 2016 ~~and in 2017~~. In order to identify solutions to lower the cost of public education and improve student performance, the commission shall collect and analyze data from all public secondary and postsecondary education units in the State that receive state funding. In conducting its review and analysis, the commission may:

**Sec. C-58. PL 2015, c. 389, Pt. A, §1, sub-§§5 and 6** are amended to read:

**5. Report; legislation.** By January 10, 2017 ~~and January 10, 2018~~, the commissioner shall submit to the Governor and the joint standing committee of the Legislature having jurisdiction over education matters a report of the commission that includes findings and recommendations for action to reform public education funding and improve student performance in the State. Notwithstanding Joint Rule 353, upon submission of ~~each~~ the report of the commission, the commissioner is authorized to submit to the Legislature a bill to implement the commission's recommendations.

**6. Expiration of commission.** The commission is authorized until ~~July 31, 2018~~ July 1, 2017.

**Sec. C-59. Mill expectation.** No later than 30 days following the effective date of this Part, the Department of Education, based on this Part, shall calculate the mill expectation pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A for fiscal year 2017-18. The mill expectation calculated by the department pursuant to this section is the mill expectation for fiscal year 2017-18. The department shall immediately report the mill expectation to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Education and Cultural Affairs.

**Sec. C-60. 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 2017-18 is as follows:

	<b>2017-18 TOTAL</b>
<b>Total Operating Allocation</b>	
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 before transition adjustment pursuant to Title 20-A, section 15671, subsection 7	\$1,410,957,308
Total operating allocation pursuant to Title 20-A, section 15683 after transition adjustment pursuant to Title 20-A, section 15671, subsection 7	\$1,392,639,397
Total adjustments to state subsidy pursuant to Title 20-A, section 15689 included in subsidizable costs and total other subsidizable costs pursuant to Title 20-A, section 15681-A	\$520,962,183

**Total Operating Allocation and Subsidizable Costs**

Total operating allocation pursuant to Title 20-A, section 15683 and total other subsidizable costs pursuant to Title 20-A, section 15681-A	\$1,913,601,580	Data management and support services for essential programs and services pursuant to Title 20-A, section 15689-A, subsection 10	\$5,950,522
<b>Total Debt Service Allocation</b>		Postsecondary course payments pursuant to Title 20-A, section 15689-A, subsection 11	\$2,000,000
Total debt service allocation pursuant to Title 20-A, section 15683-A	\$87,568,693	National board certification salary supplement pursuant to Title 20-A, section 15689-A, subsection 12	\$307,551
<b>Total Adjustments and Targeted Education Funds</b>		Jobs for Maine's Graduates including college pursuant to Title 20-A, section 15689-A, subsection 13	\$3,545,379
Adjustments pursuant to Title 20-A, section 15689		Maine School of Science and Mathematics pursuant to Title 20-A, section 15689-A, subsection 14	\$3,615,347
Audit adjustments pursuant to Title 20-A, section 15689, subsection 4	\$250,000	Maine Educational Center for the Deaf and Hard of Hearing pursuant to Title 20-A, section 15689-A, subsection 15	\$7,769,215
Educating students in long-term drug treatment center adjustments pursuant to Title 20-A, section 15689, subsection 5	\$374,432	Transportation administration pursuant to Title 20-A, section 15689-A, subsection 16	\$139,235
Regionalization, consolidation and efficiency assistance adjustments pursuant to Title 20-A, section 15689, subsection 9	\$0	Special education for juvenile offenders (Department of Corrections positions, prior to fiscal year 2017-18) pursuant to Title 20-A, section 15689-A, subsection 17	\$375,447
Bus refurbishing program adjustments pursuant to Title 20-A, section 15689, subsection 13	\$180,123	Center of Excellence for At-risk Students pursuant to Title 20-A, section 15689-A, subsection 20	\$200,000
MaineCare seed payments adjustments pursuant to Title 20-A, section 15689, subsection 14	\$642,466	Fund for the Efficient Delivery of Educational Services pursuant to Title 20-A, section 15689-A, subsection 21	\$0
Total adjustments to the state share of the total allocation pursuant to Title 20-A, section 15689	\$1,447,021	Comprehensive early college programs funding (bridge year program) pursuant to Title 20-A, section 15689-A, subsection 23	\$1,000,000
Special education costs for state agency clients and state wards pursuant to Title 20-A, section 15689-A, subsection 1	\$26,440,054	Community school pilots (3 pilot projects for 5 years) pursuant to Title 20-A, section 15689-A, subsection 25	\$50,000
Essential programs and services components contract pursuant to Title 20-A, section 15689-A, subsection 3	\$300,000	Maine School for Marine Science, Technology, Transportation and Engineering pursuant to Title 20-A, section 15689-A, subsection 26	\$0
Education research institute contract pursuant to Title 20-A, section 15689-A, subsection 6	\$250,000	Total targeted education funds pursuant to Title 20-A, section 15689-A	\$66,360,736
Learning through technology program pursuant to Title 20-A, section 15689-A, subsections 8 and 12-A	\$14,417,986	Enhancing student performance and opportunity pursuant to Title 20-A, section 15688-A	
Emergency bus loan pursuant to Title 20-A, section 15689-A, subsection 9	\$0	Career and technical education costs pursuant to Title 20-A, section 15688-A, subsection 1	\$0

College transitions programs through adult education college readiness programs pursuant to Title 20-A, section 15688-A, subsection 2	\$450,000	Total cost of state contribution to the unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teachers' health insurance and retired teachers' life insurance for fiscal year 2017-18 pursuant to Title 5, chapters 421 and 423, excluding the normal cost of teacher retirement	\$172,880,735
School improvement and support pursuant to Title 20-A, section 15688-A, subsection 5	\$0		
National industry standards for career and technical education pursuant to Title 20-A, section 15688-A, subsection 6	\$1,000,000		
New or expanded public preschool pursuant to Title 20-A, section 15688-A, subsection 4	\$0	Total cost of funding public education from kindergarten to grade 12 plus state contributions to the unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teachers' health insurance and retired teachers' life insurance for fiscal year 2017-18 pursuant to Title 5, chapters 421 and 423	\$2,330,911,554
Total enhancing student performance and opportunity pursuant to Title 20-A, section 15688-A	\$1,450,000		

**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 pursuant to Title 20-A, chapter 606-B, not including normal retirement costs	\$2,070,428,030
Total normal cost of teacher retirement	\$45,274,070
Total cost of funding public education from kindergarten to grade 12 for fiscal year pursuant to Title 20-A, chapter 606-B, including normal retirement costs	\$2,115,702,100
Adjustment pursuant to Title 20-A, section 15683, subsection 2	\$42,328,719
Total cost of funding public education from kindergarten to grade 12 for fiscal year pursuant to Title 20-A, chapter 606-B, including normal retirement costs and adjustment pursuant to Title 20-A, section 15683, subsection 2	\$2,158,030,819

**Sec. C-61. 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, 2017 and ending June 30, 2018 is calculated as follows:

	2017-18	2017-18
	LOCAL	STATE
<b>Local and State Contributions to the Total Cost of Funding Public Education from Kindergarten to Grade 12</b>		
Local and state contributions to the total cost of funding public education from kindergarten to grade 12 pursuant to the Maine Revised Statutes, Title 20-A, section 15683, subject to statewide distributions required by law	\$1,076,143,563	\$1,039,558,537

Total cost of state contribution to the unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teachers' health insurance and retired teachers' life insurance for fiscal years 2017-18 pursuant to Title 5, chapters 421 and 423, excluding the normal cost of teacher retirement \$172,880,735

State contribution to the total cost of funding public education from kindergarten to grade 12 plus state contribution to the unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teachers' health insurance and retired teachers' life insurance pursuant to Title 5, chapters 421 and 423 \$1,212,439,272

**Sec. C-62. Authorization of payments.** If the State's continued obligation for any individual component contained in those sections of this Part that set the total cost of funding public education from kindergarten to grade 12 and the local and state contributions for that purpose exceeds the level of funding provided for that component, any unexpended balances occurring in other programs may be applied to avoid proration of payments for any individual component. Any unexpended balances from this Part may not lapse but must be carried forward for the same purpose.

**Sec. C-63. Limit of State's obligation.** Those sections of this Part that set the total cost of funding public education from kindergarten to grade 12 and the local and state contributions for that purpose may not be construed to require the State to provide payments that exceed the appropriation of funds for general purpose aid for local schools for the fiscal year beginning July 1, 2017 and ending June 30, 2018.

**Sec. C-64. Adverse impact adjustment in fiscal year 2017-18.** If a school administrative unit's state share of the total allocation in fiscal year 2017-18 is less than the unit's state share of the total allocation under the Governor's recommended funding level published on the Department of Education's publicly accessible website on February 16, 2017, the Commissioner of Education shall determine whether

the school administrative unit is eligible for, and the commissioner may grant, an adjustment under this section equal to the difference between the school administrative unit's state share of the total allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15688, subsection 3-A, paragraph D and the school administrative unit's state share of the total allocation under the Governor's recommended funding level published on the Department of Education's publicly accessible website on February 16, 2017.

**Sec. C-65. Reviews and recommendations by Commissioner of Education.** The Commissioner of Education shall undertake reviews of the following issues and shall develop recommendations in accordance with this section.

1. The commissioner shall review models for state support for direct instruction and equitable teacher compensation. The commissioner shall build on the recommendations of the commission to reform public education funding and improve student performance in the State that was convened pursuant to Public Law 2015, chapter 389 and shall use information provided by a statewide education policy research institute to formulate recommendations. Based on this review, the commissioner shall develop a plan for improved compensation and retention of effective teachers across the State. The plan must provide targeted state support for direct instruction and student learning, include a proposal for statewide or regional teacher contracts and implement a system to measure effectiveness, ensure that school administrative units are held accountable for the intended use of the state funds and ensure that direct instructional programs and services are available to all students in all schools on an equitable basis. The plan must be designed for implementation no later than the 2019-2020 school year, and the plan, including any necessary implementing legislation, must be submitted by January 15, 2019 to the joint standing committee of the Legislature having jurisdiction over education matters.

2. The commissioner shall review other components of the school funding model. The commissioner, using information provided by a statewide education policy research institute, shall review the models for funding direct instruction, support for student learning, gifted and talented education and the miscellaneous targeted allocations under the Maine Revised Statutes, Title 20-A, section 15689-A for Jobs for Maine's Graduates, the Maine School of Science and Mathematics, the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf, the Center of Excellence for At-risk Students, the Maine School for Marine Science, Technology and Engineering, community schools, courses for credit at eligible postsecondary institutions and comprehensive early college programs and make recommendations for providing allocations for these programs within the adjustments and operating allocations

of the essential programs and services funding model to ensure equity of opportunity. The commissioner shall submit the recommendations, including any proposed implementing legislation, by January 15, 2019 to the joint standing committee of the Legislature having jurisdiction over education matters.

3. The commissioner shall conduct a review of system administration allocations. For fiscal year 2020-21, using information provided by a statewide education policy research institute, the commissioner shall also review the per-pupil allocation for system administration for adequacy and equity in comparison to actual system administration expenditures of school administrative units with enrollments of over 2,500 students and shall submit to the joint standing committee of the Legislature having jurisdiction over education matters prior to January 15, 2022 any recommended changes to laws relating to the allocation.

**Sec. C-66. Effective date.** That section of this Part that amends the Maine Revised Statutes, Title 20-A, section 15681-A, subsection 2 takes effect July 1, 2018.

#### PART D

**Sec. D-1. 20-A MRSA §15697**, as enacted by IB 2015, c. 4, §1, is repealed.

**Sec. D-2. 36 MRSA §5111, sub-§6**, as enacted by IB 2015, c. 4, §2, is repealed.

**Sec. D-3. Application.** Those sections of this Part that repeal the Maine Revised Statutes, Title 20-A, section 15697 and Title 36, section 5111, subsection 6 apply to tax years beginning on or after January 1, 2017.

#### PART E

This Part left blank intentionally.

#### PART F

This Part left blank intentionally.

#### PART G

**Sec. G-1. 36 MRSA §683, sub-§§3 and 4**, as amended by PL 2015, c. 390, §2, are further amended to read:

**3. Effect on state valuation.** For property tax years beginning before ~~April 1, 2017~~ April 1, 2018, 50% of the just value of all the homestead exemptions under this subchapter must be included in the annual determination of state valuation under sections 208 and 305. For property tax years beginning on or after ~~April 1, 2017~~ April 1, 2018, 62.5% of the just value of all the homestead exemptions under this subchapter must be included in the annual determination of state valuation under sections 208 and 305.

**4. Property tax rate.** For property tax years beginning before ~~April 1, 2017~~ April 1, 2018, 50% of the

just value of all the homestead exemptions under this subchapter must be included in the total municipal valuation used to determine the municipal tax rate. For property tax years beginning on or after ~~April 1, 2017~~ April 1, 2018, 62.5% of the just value of all the homestead exemptions under this subchapter must be included in the total municipal valuation used to determine the municipal tax rate. The municipal tax rate as finally determined may be applied to only the taxable portion of each homestead qualified for that tax year.

**Sec. G-2. 36 MRSA §685, sub-§2**, as amended by PL 2015, c. 390, §§3 and 4, is further amended to read:

**2. Entitlement to reimbursement by the State; calculation.** A municipality that has approved homestead exemptions under this subchapter may recover from the State:

A. For property tax years beginning before ~~April 1, 2017~~ April 1, 2018, 50% of the taxes lost by reason of the exemptions under section 683, subsections 1 and 1-B; and

B. For property tax years beginning on or after ~~April 1, 2017~~ April 1, 2018, 62.5% of the taxes lost by reason of the exemptions under section 683, subsections 1 and 1-B.

The municipality must provide proof in a form satisfactory to the bureau. The bureau shall reimburse the Unorganized Territory Education and Services Fund in the same manner for taxes lost by reason of the exemptions.

**Sec. G-3. Retroactive application.** This Part applies retroactively to property tax valuations determined on or after April 1, 2017.

#### PART H

This Part left blank intentionally.

#### PART I

This Part left blank intentionally.

#### PART J

This Part left blank intentionally.

#### PART K

This Part left blank intentionally.

#### PART L

This Part left blank intentionally.

#### PART M

This Part left blank intentionally.

#### PART N

**Sec. N-1. 5 MRSA §1710**, as enacted by PL 1995, c. 368, Pt. J, §1, is amended to read:

### §1710. Consensus Economic Forecasting Commission; membership

The Consensus Economic Forecasting Commission established by Title 5, section 12004-I, subsection 29-B, to provide the Governor, the Legislature and the Revenue Forecasting Committee with analyses, findings and recommendations representing state economic assumptions relevant to revenue forecasting, and referred to in this chapter as the "commission," consists of 5 members appointed as follows: one member appointed by the Governor; one member recommended for appointment to the Governor by the President of the Senate; one member recommended for appointment to the Governor by the Speaker of the House of Representatives; and one member appointed by the other members of the commission. One of the 5 members must be selected by a majority vote of the committee members to serve as the chair of the commission. ~~Commission members must be appointed within 15 days of the effective date of this section and serve until January 1997. The commission members recommended for appointment to the Governor by the President of the Senate and the Speaker of the House and one of the members appointed by the Governor must be appointed in January 2019 and serve a 2-year term. The 2nd member appointed by the Governor and the member appointed by the other members of the commission must be appointed in January 2019 and serve a one-year term.~~ Thereafter, ~~the all~~ commission members are appointed ~~in January of odd-numbered years to 2-year terms.~~ A member may not be a Legislator or an employee of the Executive Department, the Legislature or the Judicial Department. Each commission member must have professional credentials and demonstrated expertise in economic forecasting.

~~All members are appointed for terms to coincide with the legislative biennium. Vacancies must be filled in the same manner as the original appointments for the balance of the unexpired term, except as otherwise provided in this section.~~

~~If one or more positions on the commission remains unfilled on the 16th day after the effective date of this section or the expeditious filling of a vacancy is required to enable the commission to perform its duties in an efficient and timely manner, the Governor shall make those appointments at such times and in such a manner as the Governor determines necessary.~~

**Sec. N-2. 5 MRSA §1710-A**, as amended by PL 2007, c. 539, Pt. Q, §1, is further amended to read:

#### §1710-A. Duties of commission

**1. Duties.** The Consensus Economic Forecasting Commission shall develop ~~5-year and 10-year~~ macro-economic secular trend forecasts ~~and one-year, 2-year and 4-year economic forecasts~~ for the current fiscal biennium and the next 2 fiscal biennia.

**2. Economic assumptions.** ~~The commission shall submit recommendations for state economic assumptions for the next fiscal biennium and analyze economic assumptions for the current fiscal biennium, which must be approved by a majority of the commission members. No later than November 1st of each even-numbered year and April 1st of each odd-numbered year, the commission shall submit to the Governor, the Legislative Council, the Revenue Forecasting Committee and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs a report that presents the analyses, findings and recommendations for state economic assumptions for the next 2 fiscal biennia and analyze economic assumptions related to revenue forecasting for the next for the current fiscal biennium, which must be approved by a majority of the commission members.~~ In its report, the commission shall fully describe the methodology employed in reaching its recommendations.

**3. Current biennium adjustments.** No later than ~~April 1st and~~ November 1st of each odd-numbered year and no later than February 1st ~~and November 1st~~ of each even-numbered year the commission shall submit to the Governor, the Legislative Council, the Revenue Forecasting Committee and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs a report that presents the commission's findings and recommendations for adjustments to the economic assumptions for ~~the current fiscal biennium~~ all forecast years. In each report the commission shall fully describe the methodology employed in reaching its recommendations.

**4. Alternative economic scenarios.** No later than February 1st of each even-numbered year the commission shall provide to the State Budget Officer, the State Economist and the Associate Commissioner for Tax Policy at least 2 additional economic forecasts that assume potential economic recession scenarios of varying levels of severity. These additional forecasts must include economic assumptions for the current fiscal biennium and the next 2 fiscal biennia. In each report the commission shall fully describe the methodology employed in reaching its recommendations.

**Sec. N-3. 5 MRSA §1710-C**, as enacted by PL 1995, c. 368, Pt. J, §1, is amended to read:

#### §1710-C. Meetings

The commission shall meet at least ~~4~~ 3 times a year. Additional meetings may be called by the chair or by any 3 members. All meetings are open to the public.

**Sec. N-4. 5 MRSA §1710-G**, as amended by PL 1997, c. 655, §5, is further amended by adding at the end a new paragraph to read:

No later than October 1st of each even-numbered year the commission and committee shall jointly issue a report to the Governor, the Legislative Council and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs that uses the alternative economic scenarios recommended by the commission in accordance with section 1710-A, subsection 4. The report must include analyses and findings that detail the stress impact such potential economic recession scenarios would have on the current General Fund revenue projections of sales and income tax revenues. The report must include an analysis of the sufficiency of the current level of the Maine Budget Stabilization Fund and an estimate of the reserves in the Maine Budget Stabilization Fund necessary to offset the declines in revenue as a result of potential economic recessions of varying levels of severity.

**Sec. N-5. 5 MRSA §1710-H**, as amended by PL 1997, c. 655, §6, is further amended to read:

#### **§1710-H. Meetings**

The committee shall meet at least ~~4~~ 3 times a year. Additional meetings may be called by a majority vote of the committee or by the State Budget Officer as specified in section 1710-G.

### **PART O**

**Sec. O-1. 5 MRSA §1725-A**, as amended by PL 1991, c. 780, Pt. Y, §51, is further amended to read:

#### **§1725-A. Risk management**

**1. Creation and authority.** The Department of Administrative and Financial Services is designated as the agency through which this chapter is administered. ~~The Director of the Bureau of General Services, in this chapter called the "director,"~~ State Controller is empowered with such authority as necessary to carry out the purposes of this chapter.

Risk management responsibilities are under the supervision and administrative control of the ~~Director of the Bureau of General Services~~ State Controller.

**2. State Controller.** The commissioner shall ~~appoint direct~~ the ~~Director of the Bureau of General Services, in this chapter called the "director,"~~ State Controller to administer the State's policy on insurance management, as developed through the authority of this chapter. The ~~director~~ State Controller or the ~~director's~~ State Controller's designee must be knowledgeable of insurance practices and principles and must be qualified by actual experience in the field of risk management to carry out the purposes of this chapter.

**3. Personnel.** The ~~director~~ State Controller may employ such assistants and employees as are necessary, and distribute the risk management duties among such persons as the ~~director~~ State Controller considers

necessary for economy and efficiency of administration. Employees are subject to the Civil Service Law.

**Sec. O-2. 5 MRSA §1727-A**, as enacted by PL 1983, c. 349, §7, is amended to read:

#### **§1727-A. Conflict of interest prohibited**

The ~~director~~ State Controller or any other employee of the division ~~shall~~ may not be financially interested, directly or indirectly, in any insurer, agency or insurance transaction, except as a policyholder or claimant under a policy, nor ~~shall~~ may the ~~director~~ State Controller or any other employee be licensed under Title 24-A, as an agent, broker, consultant or adjuster.

**Sec. O-3. 5 MRSA §1728-A**, as amended by PL 1993, c. 470, §1, is further amended to read:

#### **§1728-A. Powers and duties of the State Controller**

**1. Duties.** The ~~director~~ State Controller shall provide insurance advice and services for all forms of insurance for State Government and any department or agency of State Government except for those departments or agencies and those types of insurance otherwise provided for by law through the self-insurance fund and to other entities designated as entitled to advice and services through the state-administered fund pursuant to section 1737. The ~~director~~ State Controller is responsible for the acquisition and administration of all insurance purchased by the State, including the authority to purchase insurance for the State for automobile, fire, liability and any other type of coverage necessary to protect the State from financial loss. The ~~director~~ State Controller may enter into contracts for various types of claims management services in order to ensure the most economically advantageous insurance protection in the operation of the State's insurance coverage program. In these regards, the ~~director~~ State Controller has the following duties:

A. To review annually the entire subject of insurance as it applies to all state property and activities and other persons pursuant to this section, and to provide to the Commissioner of Administrative and Financial Services a statement of its activities during the year ending the preceding June 30th. This report must include:

- (1) An evaluation of the state insurance program;
- (2) A complete statement of all types and costs of insurance in effect;
- (3) Names of agents and companies of record; and
- (4) Such other matters as the ~~director~~ State Controller determines appropriate and necessary or as the commissioner may request;

B. To recommend to the Commissioner of Administrative and Financial Services such insurance protection as the ~~director~~ State Controller considers necessary or desirable for the protection of all state property or activities or other insureds under this section;

C. Pursuant to programs approved by the Commissioner of Administrative and Financial Services, to provide insurance protection for property and liability in accordance with the Maine Tort Claims Act, Title 14, section 8116, and premises liability, when required by a state lease or private property approved by the Attorney General, by self-insured retention or purchase of insurance from companies or agents licensed to do business in this State, or by both, to effect the best possible contracts as to services, coverages and costs. The purchase of insurance under this section normally must be made upon competitive bidding, except that the ~~director~~ State Controller may, in appropriate circumstances, purchase insurance by negotiation;

D. To determine and review the values of property in which the State has an insurable or legal interest and recommend limits and types of insurance protection for that property;

E. To establish and promote safety and other loss prevention programs;

F. To receive and, with the assistance of the Attorney General, administer all claims for personal injury and property damage against the State;

G. With the assistance of the Attorney General, to pursue all claims against 3rd parties in all cases in which the State may be subrogated to the rights of injured employees or where damage to state property may have resulted from the negligence of a 3rd party;

H. To administer the funds established by sections 1731 and 1737. In performing the functions authorized by this chapter, the funds, the Commissioner of Administrative and Financial Services and the ~~director~~ State Controller are not subject to the provisions of Title 24-A; and

I. On or before December 31, 1996 and every 3 years thereafter, to submit to the Commissioner of Administrative and Financial Services a report on the availability and affordability of insurance advice and services to those entities participating in the state-administered fund pursuant to section 1737 and to make specific recommendations for the removal from the state-administered fund of those entities that do not qualify.

**2. Appraisal.** In case an agreement as to the amount of loss sustained to any building or property insured under this chapter can not be arrived at be-

tween the insured entity and the ~~director~~ State Controller, the loss must be referred to appraisal as provided by Title 24-A, section 3002.

**3. Rejection of risk.** In the event that the ~~director~~ State Controller determines that a risk may be prejudicial to the State's insurance program or to the state-administered fund established by section 1737 because of an actual or expected adverse loss ratio, the ~~director~~ State Controller may refuse to include that risk in the program until the time that the hazards of the risk have been removed or ameliorated to a satisfactory degree.

When coverage is declined by the ~~director~~ State Controller, the department, agency or entity in charge of the risk may request that the ~~director~~ State Controller procure separate insurance from any authorized insurance company, and the premium for that separate insurance is a proper charge against the department, agency or entity responsible for the property.

**4. Forms and rules.** The ~~director~~ State Controller may prescribe forms of policies, proofs of loss and other forms and may adopt rules as are necessary or expedient for the proper administration of this chapter.

**5. Actuarial review.** Once every 3 years, and more frequently if determined prudent by the Commissioner of Administrative and Financial Services, the ~~director~~ State Controller shall arrange for a review of the reserves of the state-administered fund by a qualified actuary who is a member in good standing of the Casualty Actuarial Society. The actuary shall issue an opinion on the adequacy of reserves of the state-administered fund to cover the estimated ultimate liability of the state-administered fund. Costs for this service must be paid from the Risk Management Fund.

**Sec. O-4. 5 MRSA §1731, first ¶,** as amended by PL 1993, c. 470, §2, is further amended to read:

A reserve fund, referred to in this chapter as the "self-insurance fund," is created to indemnify the State or the State's designated payee for self-insured retention losses and related loss adjustment expenses from those perils insured against under a deductible or self-insured retention program, as recommended by the ~~director~~ State Controller and approved by the Commissioner of Administrative and Financial Services. With the approval of the commissioner, the self-insurance fund may be used for loss prevention programs administered by either the risk management division within the ~~Bureau of General Services Office of the State Controller~~ or the Bureau of Human Resources. The total amount of the self-insurance fund provided for loss prevention programs in any given year may not exceed 5% of the self-insurance fund as of July 1st of that fiscal year. The self-insurance fund is a continuing fund and does not lapse. Funds provided from the self-insurance fund to the Bureau of

Human Resources are similarly nonlapsing and are carried forward through the Bureau of Human Resources' Dedicated Revenue Account.

**Sec. O-5. 5 MRSA §1731-A, last ¶**, as amended by PL 1983, c. 349, §13, is further amended to read:

The ~~director~~ State Controller may purchase such reinsurance of the deductible or self-insured retentions hereunder as ~~he~~ the State Controller may ~~deem~~ consider necessary or desirable. The ~~director~~ State Controller may purchase such reinsurance protection from companies or agents licensed or approved by the Superintendent of Insurance to do business in the State.

**Sec. O-6. 5 MRSA §1733, last ¶**, as amended by PL 1993, c. 470, §5, is further amended to read:

Payments to the self-insurance fund from its participants must be calculated on a pro rata basis as determined by the ~~director~~ State Controller and based on the prior claims experience of the departments or agencies.

**Sec. O-7. 5 MRSA §1734, first ¶**, as amended by PL 1993, c. 470, §6, is further amended to read:

The self-insurance fund may not exceed 2% of the then current value of all state-insured or self-insured retention property protected by the self-insurance fund as determined by the ~~director~~ State Controller.

**Sec. O-8. 5 MRSA §1736**, as amended by PL 1993, c. 470, §8, is further amended to read:

#### **§1736. Payment of losses**

Pursuant to the recommendation of the ~~director~~ State Controller, the Commissioner of Administrative and Financial Services may cause payments from the self-insurance fund or proceeds of insurance purchased in accordance with this chapter, or both, to be made available for repair or replacement of insured property and payment of losses and loss adjustment expenses.

**Sec. O-9. 5 MRSA §1737, sub-§§1 to 3**, as enacted by PL 1993, c. 470, §9, are amended to read:

**1. Creation of state-administered fund.** A reserve fund, referred to in this chapter as the "state-administered fund," is created to indemnify persons and entities eligible for participation pursuant to subsection 2 for losses and related loss adjustment expenses from those perils insured against under a deductible or self-insured retention program as recommended by the ~~director~~ State Controller and approved by the Commissioner of Administrative and Financial Services. With the approval of the commissioner, the state-administered fund may be used for loss prevention programs administered by the risk management division within the ~~Bureau of General Services Office of the State Controller~~. The total amount of the state-administered fund provided for loss prevention pro-

grams in any given year may not exceed 5% of the state-administered fund as of July 1st of that fiscal year. The state-administered fund is a continuing fund and does not lapse.

**2. Eligibility for participation in state-administered fund.** The ~~director~~ State Controller may offer insurance advice and services to persons or entities other than state departments or agencies if:

- A. The ~~director~~ State Controller has been authorized to do so by law;
- B. The Governor has approved that person or entity for insurance advice and service;
- C. Coverage is unavailable or is offered only at unreasonable cost to that person or entity; and
- D. That person or entity has demonstrated a strong public need for the services provided by that person or entity.

**3. Interim coverage.** The ~~director~~ State Controller may offer insurance advice and services for no more than 6 months when the Governor, in the absence of the Legislature, determines that it is appropriate to do so based on consideration of the risks involved and the governmental objectives served by that coverage.

**Sec. O-10. 5 MRSA §1737, sub-§4**, as amended by PL 2017, c. 110, §2, is further amended to read:

**4. Directed services.** Notwithstanding the provisions of subsection 2, the ~~director~~ State Controller may provide insurance advice or services for family foster homes as defined in Title 22, section 8101, subsection 3; specialized children's homes, as defined in Title 22, section 8101, subsection 5; respite care providers as ~~defined~~ described in Title 34-B, section 6201, subsection 2-A; the Casco Bay Island Transit District created by Private and Special Law 1981, chapter 22; the University of Maine System; the Maine Community College System; the Maine Maritime Academy; and the State's local workforce investment areas designated under the federal Workforce Innovation and Opportunity Act, Public Law 113-128. The ~~director~~ State Controller may provide insurance services for public schools as defined in Title 20-A, section 1, subsection 24 if the provisions of subsection 2 are met. Notwithstanding subsection 2, the ~~director~~ State Controller may provide insurance advice for public schools.

**Sec. O-11. 5 MRSA §1737, sub-§8**, as enacted by PL 1993, c. 470, §9, is amended to read:

**8. Payments from state-administered fund.** Pursuant to the recommendation of the ~~director~~ State Controller, the Commissioner of Administrative and Financial Services may cause payments from the state-administered fund or proceeds of insurance purchased in accordance with this section, or both, to be made

available for repair or replacement of insured property and payment of losses and loss adjustment expenses. The rights of a person or entity insured under this section are limited to the extent specified in the contractual agreements or policies of insurance entered into between those persons or entities and the ~~director~~ State Controller and any involved insurance companies. Notwithstanding any contractual agreements or policies of insurance, persons or entities participating in the state-administered fund do not have a right of recovery except against the assets of the state-administered fund and do not have recourse against the General Fund, the assets of the State or the commissioner, the ~~director~~ State Controller or any other state employee. The commissioner shall establish procedures to ensure adequate disclosure of this limitation on rights of recovery to the entities insured under this section.

### PART P

**Sec. P-1. 5 MRSA §1742, sub-§26, ¶E,** as corrected by RR 2011, c. 2, §2, is amended 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; ~~and~~

**Sec. P-2. 5 MRSA §1742, sub-§28,** as enacted by PL 2011, c. 655, Pt. GG, §1 and affected by §70, is amended to read:

**28. State landfills.** To own, design, develop or operate, or contract with private parties to operate, solid waste disposal facilities, as provided in Title 38, chapter 24, subchapter 4; and

**Sec. P-3. 5 MRSA §1742, sub-§29** is enacted to read:

**29. Accept contributions.** To accept contributions from public and private sources for the maintenance, repair and construction of state facilities. Contributed funds must be invested as provided by law with the earnings credited to the appropriate fund to be used for the same purposes.

### PART Q

**Sec. Q-1. Maine Revised Statutes amended; revision clause.** Wherever in the Maine Revised Statutes the words "displaced homemaker program" appear or reference is made to that entity or those words, those words are amended to read or mean, as appropriate, "New Ventures Maine program" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

**Sec. Q-2. Maine Revised Statutes amended; revision clause.** Wherever in the Maine Revised Statutes the words "Displaced Homemakers Advisory Council" appear or reference is made to that entity or those words, those words are amended to read or mean, as appropriate, "New Ventures Maine Advisory Council" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

**Sec. Q-3. Rename Maine Centers for Women, Work and Community program.** Notwithstanding any other provision of law, the Maine Centers for Women, Work and Community program within the University of Maine System is renamed the New Ventures Maine program.

### PART R

This Part left blank intentionally.

### PART S

**Sec. S-1. Tax expenditures.** In accordance with the Maine Revised Statutes, Title 5, section 1666 and to the extent not otherwise provided in this Act, funding is continued for each individual tax expenditure, as defined in Title 5, section 1666, reported in the budget document submitted to the Legislature by the Governor on January 6, 2017.

### PART T

**Sec. T-1. 36 MRSA §112, sub-§2-A** is enacted to read:

**2-A. Training program.** The assessor may implement a training program to enhance the technical and service delivery expertise of the bureau's revenue agents and property appraisers. Employees in these classifications who participate in the training program and who demonstrate that they have achieved competencies prescribed by the assessor may progress immediately to the senior position in these classification series.

### PART U

This Part left blank intentionally.

### PART V

**Sec. V-1. 30-A MRSA §701, sub-§2-C,** as enacted by PL 2015, c. 335, §11, is amended to read:

**2-C. Tax assessment for correctional services July 1, 2015 to June 30, 2018.** Beginning July 1, 2015, the counties shall annually collect no less than \$62,172,371 from municipalities for the provision of correctional services in accordance with this subsection. The counties may collect an amount that is more than the base assessment limit established in this subsection, except that the additional amount each year may not exceed the base assessment limit as adjusted by the growth limitation factor established in section

706-A, subsection 3 or ~~3%~~ 4%, whichever is less. For the purposes of this subsection, "correctional services" includes management services, personal services, contractual services, commodity purchases, capital expenditures and all other costs, or portions thereof, necessary to maintain and operate correctional services. "Correctional services" does not include county jail debt unless there is a surplus in the account that pays for correctional services at the end of the state fiscal year.

The assessment to municipalities within each county may not be greater or less than the base assessment limit, 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 \$2,657,105 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 \$2,657,105 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 \$8,386,815 in York County.

**Sec. V-2. Transfer from General Fund; Reserve for County Jail Operations program.** On or immediately after July 1, 2018, the State Controller shall transfer \$12,202,104 from the unappropriated surplus of the General Fund to the Department of Corrections, Reserve for County Jail Operations program, Other Special Revenue Funds. Funds transferred pursuant to this section may not be transferred out of the Reserve for County Jail Operations program without legislative approval.

**PART W**

This Part left blank intentionally.

**PART X**

**Sec. X-1. Attrition savings.** Notwithstanding any provision of law to the contrary, the attrition rate for the 2018-2019 biennium is increased from 1.6% to 5% for judicial branch and executive branch depart-

ments and agencies only, with the exception of the District Attorneys Salaries program within the Department of the Attorney General. The attrition rate for subsequent biennia is 1.6% with the exception of the District Attorneys Salaries program within the Department of the Attorney General. The attrition rate for the District Attorneys Salaries program is 0% for the 2018-2019 biennium.

**Sec. X-2. Calculation and transfer; attrition savings.** The State Budget Officer shall calculate the amount of the savings in section 3 of this Part that applies against each General Fund account for all executive branch departments and agencies statewide, with the exception of the District Attorneys Salaries program, and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to appropriations in fiscal years 2017-18 and 2018-19. 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, 2018.

**Sec. X-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 from an increase in the attrition rate from 1.6% to 5% for fiscal years 2017-18 and 2018-19.

GENERAL FUND	2017-18	2018-19
Personal Services	(\$12,312,938)	(\$12,526,849)
<b>GENERAL FUND TOTAL</b>	<b>(\$12,312,938)</b>	<b>(\$12,526,849)</b>

**PART Y**

**Sec. Y-1. Department of Administrative and Financial Services; lease-purchase authorization.** Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, in cooperation with the Treasurer of State, may enter into financing agreements in fiscal years 2017-18 and 2018-19 for the acquisition of motor vehicles for the Central Fleet Management Division. The financing agreements entered into in each fiscal year may not exceed \$5,500,000 in principal costs, and a financing agreement may not exceed 4 years in duration. The interest rate may not exceed 5%. The annual principal and interest costs must be paid from the appropriate line category allocations in the Central Fleet Management Division account.

## PART Z

**Sec. Z-1. Department of Administrative and Financial Services; lease-purchase authorization.** Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, in cooperation with the Treasurer of State, on behalf of the Department of Public Safety, may enter into financing agreements in fiscal years 2017-18 and 2018-19 for the acquisition of motor vehicles for the State Police. The financing agreements entered into in each fiscal year may not exceed \$2,300,000 in principal costs, and a financing agreement may not exceed 3 years in duration. The interest rate may not exceed 5%. The annual principal and interest costs must be paid from the appropriate line category appropriations and allocations in the State Police accounts.

## PART AA

**Sec. AA-1. Department of Administrative and Financial Services; lease-purchase authorization.** Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, in cooperation with the Treasurer of State, may enter into financing arrangements on or after July 1, 2017 for improvements to the State's technology infrastructure and data centers; purchase of enterprise software; modernization of databases, storage and other components; and improved security of personally identifiable information and other confidential data. The financial agreements may not exceed \$21,000,000 in principal costs, 7 years in duration and a 6% interest rate. The annual principal and interest costs must be paid from the appropriate line category appropriations in the Department of Administrative and Financial Services, Office of Information Technology accounts.

## PART BB

This Part left blank intentionally.

## PART CC

**Sec. CC-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, 2019 special voluntary employee incentive programs for state employees, including a 50% workweek, 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. CC-2. Continuation of group health insurance.** Notwithstanding the Maine Revised Statutes, Title 5, section 285, subsection 7 and Title 5, section 903, the State shall continue to pay health and dental insurance benefits for a state employee who

applies prior to July 1, 2019 and is approved to participate in a voluntary employee incentive program under section 1 of this Part based upon the scheduled workweek in effect prior to the employee's participation in the voluntary employee incentive program.

**Sec. CC-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, 2019 and is approved to participate in a voluntary employee incentive program under section 1 of this Part are based upon the scheduled hours of the employee prior to the employee's participation in the voluntary employee incentive program.

**Sec. CC-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 of this Part 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, 2019 for fiscal year 2017-18 and no later than January 15, 2020 for fiscal year 2018-19.

**Sec. CC-5. Lapsed balances.** Notwithstanding any other provision of law, \$350,000 in fiscal year 2017-18 and \$350,000 in fiscal year 2018-19 of savings identified from the voluntary employee incentive programs in this Part lapse to the General Fund.

## PART DD

**Sec. DD-1. Department of Administrative and Financial Services; review after reorganization.** The Commissioner of Administrative and Financial Services is authorized to identify positions to be eliminated on or before June 30, 2019 as a result of reorganizations due to the implementation of a new human resources and payroll system and shall submit a report related to the elimination of any positions to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs by June 30, 2019.

**Sec. DD-2. Calculation.** Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings from the position eliminations under this Part and make adjustments by financial order upon approval of the Governor no later than June 30, 2019. These eliminations are considered adjustments to authorized position count, appropriations and allocations.

**PART EE**

**Sec. EE-1. Position review and position savings.** The Department of Administrative and Financial Services, Bureau of the Budget shall conduct a review of vacant positions for elimination in executive branch departments and agencies regardless of fund source for the purpose of identifying total General Fund savings in the Personal Services line category equal to \$3,000,000 in fiscal year 2018-19. The Commissioner of Administrative and Financial Services shall submit a report to the Joint Standing Committee on Appropriations and Financial Affairs by July 1, 2018 with identified positions for elimination.

**Sec. EE-2. Calculation.** Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings from the position eliminations under section 1 of this Part and adjust by financial order upon approval of the Governor, no later than June 30, 2019. These eliminations are considered adjustments to authorized position count, appropriations and allocations.

**Sec. EE-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 from the elimination of positions as a result of the review of vacant positions as authorized in section 1 of this Part. This initiative represents the General Fund share of savings from the position eliminations.

GENERAL FUND	2017-18	2018-19
Personal Services	\$0	(\$3,000,000)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$3,000,000)</b>

**PART FF**

**Sec. FF-1. 4 MRSA §1610-J** is enacted to read:

**§1610-J. Additional securities for capital repairs and improvements and hazardous waste cleanup**

Notwithstanding any limitation on the amount of securities that may be issued pursuant to section 1606, subsection 2, the authority may issue additional securities in an amount not to exceed \$30,000,000 outstanding at any one time for capital repairs and improvements to state-owned facilities and hazardous waste cleanup on state-owned properties.

**Sec. FF-2. Maine Governmental Facilities Authority; issuance of securities.** Pursuant to the Maine Revised Statutes, Title 4, section 1606, subsection 2 and section 1610-J, and notwithstanding the limitation contained in Title 4, section 1606, subsection 2 regarding the amount of securities that may be issued, the Maine Governmental Facilities Authority is authorized to issue securities in its own name in an amount up to \$30,000,000. Proceeds must be used for the purpose of paying the costs associated with capital repairs and improvements to and construction of state-owned facilities and with hazardous waste cleanup on state-owned properties as designated by the Commissioner of Administrative and Financial Services.

**PART GG**

**Sec. GG-1. 5 MRSA §282, sub-§8,** as amended by PL 2009, c. 372, Pt. F, §2, is further amended to read:

**8. Serve as director of Clean Government Initiative.** To serve as a director, along with the Commissioner of Environmental Protection, of the Clean Government Initiative established in Title 38, section 343-H; and

**Sec. GG-2. 5 MRSA §282, sub-§9,** as amended by PL 2011, c. 652, §1 and affected by §14, is further amended to read:

**9. Energy infrastructure benefits fund.** To establish an energy infrastructure benefits fund. Except as otherwise provided by Title 35-A, section 122, subsections 1-C and 6-B or any other law, including the Constitution of Maine, the fund consists of any revenues derived from the use of state-owned land and assets for energy infrastructure development pursuant to Title 35-A, section 122. Each fiscal year, the Treasurer of State shall transfer revenues collected in the fund to the Efficiency Maine Trust for deposit by the Efficiency Maine Trust Board in program funds pursuant to Title 35-A, section 10103, subsection 4 and use by the trust in accordance with Title 35-A, section 10103, subsection 4-A. For the purposes of this subsection, "energy infrastructure" and "state-owned" have the same meanings as in Title 35-A, section 122, subsection 1-;

**Sec. GG-3. 5 MRSA §282, sub-§§10 and 11** are enacted to read:

**10. Economic projections.** To prepare long-range economic projections to ensure that projected available state financial resources are commensurate with projected state expenditures needed to meet long-term state economic goals and policies; and

**11. Economic analyses.** To conduct studies and continuing economic analyses of the state economy, including economic forecasting, and collect, collate and analyze all pertinent data and statistics relating to those studies and analyses to assist the Governor, the

Legislature and the various state departments in formulating economic goals and programs and policies to achieve those goals. The commissioner shall make these data and statistics available to the Legislature upon request. All state agencies shall cooperate with the commissioner regarding implementation of the provisions of this subsection. In implementing this subsection, the commissioner may use secondary data made available to the commissioner by other state agencies or other organizations.

**Sec. GG-4. 5 MRSA §3102**, as enacted by PL 2011, c. 655, Pt. DD, §5 and affected by §24, is amended to read:

**§3102. Office established; purpose**

The Governor's Office of Policy and Management is established in the Executive Department to facilitate achievement of long-term state economic goals and objectives and identification and implementation of opportunities to improve the efficiency and effectiveness of the performance of the functions of and delivery of services by State Government.

**Sec. GG-5. 5 MRSA §3104, sub-§1, ¶¶B and E**, as enacted by PL 2011, c. 655, Pt. DD, §5 and affected by §24, are repealed.

**Sec. GG-6. 36 MRSA §7302**, as amended by PL 2011, c. 655, Pt. DD, §17 and affected by §24, is repealed.

**PART HH**

This Part left blank intentionally.

**PART II**

**Sec. II-1. Rural Rehabilitation Operating Fund.** The Rural Rehabilitation Operating Fund established under the Maine Revised Statutes, Title 7, section 2-B operates as a unit within the Bureau of Agriculture program in the Department of Agriculture, Conservation and Forestry.

**Sec. II-2. Transfer balances.** Notwithstanding any other provision of law, at the end of fiscal year 2016-17, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Rural Rehabilitation program, Other Special Revenue Funds account to the Division of Quality Assurance and Regulation program, Other Special Revenue Funds account within the Department of Agriculture, Conservation and Forestry.

**PART JJ**

**Sec. JJ-1. Agricultural Fair Support Fund.** The Agricultural Fair Support Fund established under the Maine Revised Statutes, Title 7, section 91 operates as a unit within the Harness Racing

Commission program in the Department of Agriculture, Conservation and Forestry.

**Sec. JJ-2. Sire Stakes Fund.** The Sire Stakes Fund established under the Maine Revised Statutes, Title 8, section 281 operates as a unit within the Harness Racing Commission program in the Department of Agriculture, Conservation and Forestry.

**Sec. JJ-3. Fund to supplement harness racing purses.** The fund to supplement harness racing purses established under the Maine Revised Statutes, Title 8, section 298, subsection 1 operates as a unit within the Harness Racing Commission program in the Department of Agriculture, Conservation and Forestry.

**Sec. JJ-4. Fund to Encourage Racing at Maine's Commercial Tracks.** The Fund to Encourage Racing at Maine's Commercial Tracks established under the Maine Revised Statutes, Title 8, section 299, subsection 1 operates as a unit within the Harness Racing Commission program in the Department of Agriculture, Conservation and Forestry.

**Sec. JJ-5. Fund to Stabilize Off-track Betting Facilities.** The Fund to Stabilize Off-track Betting Facilities established under the Maine Revised Statutes, Title 8, section 300, subsection 1 operates as a unit within the Harness Racing Commission program in the Department of Agriculture, Conservation and Forestry.

**PART KK**

**Sec. KK-1. Agricultural Complaint Response Fund.** The Agricultural Complaint Response Fund established under the Maine Revised Statutes, Title 7, section 159 operates as a unit within the Bureau of Agriculture program in the Department of Agriculture, Conservation and Forestry.

**Sec. KK-2. Potato Cull Removal Fund.** The Potato Cull Removal Fund established under the Maine Revised Statutes, Title 7, section 1007-A, subsection 5 operates as a unit within the Bureau of Agriculture program in the Department of Agriculture, Conservation and Forestry.

**Sec. KK-3. Cattle Health Assurance Program Fund.** The Cattle Health Assurance Program Fund established under the Maine Revised Statutes, Title 7, section 1310 operates as a unit within the Bureau of Agriculture program in the Department of Agriculture, Conservation and Forestry.

**Sec. KK-4. Animal Industry Fund.** The Animal Industry Fund established under the Maine Revised Statutes, Title 7, section 1332 operates as a unit within the Bureau of Agriculture program in the Department of Agriculture, Conservation and Forestry.

**Sec. KK-5. State of Maine Animal Response Team Fund.** The State of Maine Animal

Response Team Fund established under the Maine Revised Statutes, Title 7, section 1902 operates as a unit within the Bureau of Agriculture program in the Department of Agriculture, Conservation and Forestry.

**Sec. KK-6. Nutrient Management Fund.**

The Nutrient Management Fund established under the Maine Revised Statutes, Title 7, section 4208 operates as a unit within the Bureau of Agriculture program in the Department of Agriculture, Conservation and Forestry.

**Sec. KK-7. Transfer balances.** Notwithstanding any other provision of law, at the close of fiscal year 2016-17, the State Controller shall transfer, after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute, any remaining balance in the Division of Animal Health and Industry program, Federal Expenditures Fund to the Division of Quality Assurance and Regulation program, Federal Expenditures Fund in the Department of Agriculture, Conservation and Forestry.

**Sec. KK-8. Transfer balances.** Notwithstanding any other provision of law, at the close of fiscal year 2016-17, the State Controller shall transfer, after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute, any remaining balance in the Division of Animal Health and Industry program, Other Special Revenue Funds to the Division of Quality Assurance and Regulation program, Other Special Revenue Funds in the Department of Agriculture, Conservation and Forestry.

**PART LL**

**Sec. LL-1. Maine Mosquito Management Fund.** The Maine Mosquito Management Fund established under the Maine Revised Statutes, Title 7, section 174 operates as a unit within the Board of Pesticides Control program in the Department of Agriculture, Conservation and Forestry.

**Sec. LL-2. Integrated Pest Management Fund.** The Integrated Pest Management Fund established under the Maine Revised Statutes, Title 7, section 2405 operates as a unit within the Board of Pesticides Control program in the Department of Agriculture, Conservation and Forestry.

**Sec. LL-3. Maine Pesticide Education Fund.** The Maine Pesticide Education Fund established under the Maine Revised Statutes, Title 7, section 2421 operates as a unit within the Board of Pesticides Control program in the Department of Agriculture, Conservation and Forestry.

**Sec. LL-4. Transfer balances.** Notwithstanding any other provision of law, at the close of fiscal year 2016-17, the State Controller shall transfer, after the deduction of all allocations, financial com-

mitments, other designated funds or any other transfer authorized by statute, any remaining balance in the Maine Mosquito Management Fund program, Other Special Revenue Funds to the Board of Pesticides Control program, Other Special Revenue Funds.

**PART MM**

**Sec. MM-1. Agricultural development fund.** The agricultural development fund established under the Maine Revised Statutes, Title 7, section 306-A, subsection 1 operates as a unit within the Bureau of Agriculture program in the Department of Agriculture, Conservation and Forestry.

**PART NN**

**Sec. NN-1. Agricultural Water Management and Irrigation Fund.** The Agricultural Water Management and Irrigation Fund established under the Maine Revised Statutes, Title 7, section 351, subsection 1 operates as a unit within the Bureau of Agriculture program in the Department of Agriculture, Conservation and Forestry.

**Sec. NN-2. Transfer balances.** Notwithstanding any other provision of law, at the close of fiscal year 2016-17, the State Controller shall transfer, after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute, any remaining balance in the Division of Agricultural Resource Development program, Federal Expenditures Fund to the Division of Quality Assurance and Regulation program, Federal Expenditures Fund.

**Sec. NN-3. Transfer balances.** Notwithstanding any other provision of law, at the close of fiscal year 2016-17, the State Controller shall transfer, after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute, any remaining balance in the Division of Agricultural Resource Development program, Other Special Revenue Funds to the Division of Quality Assurance and Regulation program, Other Special Revenue Funds.

**Sec. NN-4. Transfer balances.** Notwithstanding any other provision of law, at the close of fiscal year 2016-17, the State Controller shall transfer, after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute, any remaining balance in the Division of Agricultural Resource Development program, Federal Block Grant Fund to the Division of Quality Assurance and Regulation program, Federal Block Grant Fund.

**PART OO**

**Sec. OO-1. Dairy Industry Fund.** The Dairy Industry Fund established in the Maine Revised Statutes, Title 7, section 2956-A operates as a unit

within the Milk Commission program in the Department of Agriculture, Conservation and Forestry.

## PART PP

### Sec. PP-1. Animal welfare auxiliary fund.

The animal welfare auxiliary fund established under the Maine Revised Statutes, Title 7, section 3906-B, subsection 16 operates as a unit within the Animal Welfare Fund program within the Department of Agriculture, Conservation and Forestry.

## PART QQ

**Sec. QQ-1. 12 MRSA §541-A**, as amended by PL 2013, c. 405, Pt. C, §3, is further amended to read:

### §541-A. Division of Geology, Natural Areas and Coastal Resources

The Division of Geology, Natural Areas and Coastal Resources is established within the Department of Agriculture, Conservation and Forestry and is administered by the commissioner. The division consists of the Maine Geological Survey, referred to in this chapter as the "survey," and the Natural Areas Program and the Maine Coastal Program. The director of the bureau is the director of the survey.

**Sec. QQ-2. 12 MRSA §544-D**, as enacted by PL 2011, c. 655, Pt. KK, §5 and affected by §34 and amended by c. 657, Pt. W, §§5 and 6, is repealed.

**Sec. QQ-3. 12 MRSA §6052, sub-§4, ¶D**, as amended by PL 2003, c. 60, §3, is further amended to read:

D. Establishing a marine research revolving fund for soliciting and receiving funds for conducting marine research. A marine research fund established under this paragraph may be used only for research purposes set forth under paragraphs A and B and may not be used for research specific to any one company; ~~and~~

**Sec. QQ-4. 12 MRSA §6052, sub-§5**, as enacted by PL 2003, c. 60, §4, is amended to read:

**5. Safety and security services.** Provide safety and security services in the coastal waters of the State. The department shall coordinate with other local, state and federal agencies when the department provides such safety and security services; and

**Sec. QQ-5. 12 MRSA §6052, sub-§6** is enacted to read:

**6. Implement and manage coastal zone management program.** Manage and coordinate implementation and ongoing development and improvement of a state coastal zone management program in accordance with and in furtherance of the requirements of the federal Coastal Zone Management Act of 1972, 16 United States Code, Sections 1451 to 1466 (2012) and

the State's coastal management policies established in Title 38, section 1801. The commissioner may:

A. Implement aspects of the state coastal zone management program and be the lead state agency for purposes of federal consistency review under the federal Coastal Zone Management Act of 1972, 16 United States Code, Section 1456 (2012);

B. Receive and administer funds from public or private sources for implementation of the state coastal zone management program; and

C. Act as the coordinating agency among the several officers, authorities, boards, commissions, departments and political subdivisions of the State on matters relative to management of coastal resources and related human uses in the coastal area.

**Sec. QQ-6. Transfer balances.** Notwithstanding any other provision of law, at the end of fiscal year 2016-17, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Coastal Program, Federal Expenditures Fund in the Department of Agriculture, Conservation and Forestry to the Bureau of Policy and Management program, Federal Expenditures Fund in the Department of Marine Resources.

**Sec. QQ-7. Transfer balances.** Notwithstanding any other provision of law, at the end of fiscal year 2016-17, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Coastal Program, Other Special Revenue Funds account in the Department of Agriculture, Conservation and Forestry to the Bureau of Policy and Management program, Other Special Revenue Funds account in the Department of Marine Resources.

## PART RR

This Part left blank intentionally.

## PART SS

**Sec. SS-1. 12 MRSA §8901, sub-§1, ¶A**, as enacted by PL 2015, c. 267, Pt. Z, §1, is amended to read:

A. The forest protection unit of the Bureau of Forestry shall employ no fewer than 45 and no more than 50 forest rangers classified as Forest Ranger II to serve as wildfire control specialists and forestry law enforcement officers, and no fewer than ~~47~~ 16 forest rangers classified as follows: 3 Regional Rangers, 8 District Rangers, one Forest Fire Prevention Specialist, one Ranger Pilot Supervisor and ~~4~~ 3 Ranger Pilots. Each for-

est ranger must, at a minimum, be a graduate of the Maine Criminal Justice Academy's law enforcement preservice program or equivalent.

## PART TT

**Sec. TT-1. 33 MRSA §479-C**, as amended by PL 2011, c. 655, Pt. II, §7 and affected by §11 and amended by c. 657, Pt. W, §5, is further amended to read:

### §479-C. Conservation lands registry

A holder of a conservation easement or a fee owner of land for conservation purposes that is organized or doing business in the State shall annually report to the Department of Agriculture, Conservation and Forestry the book and page number at the registry of deeds for each conservation easement that it holds or each parcel owned in fee for conservation purposes, the municipality ~~and~~, the approximate number of acres protected under each easement or parcel owned, the approximate number of acres that are exempt from taxation pursuant to Title 36, section 652 for which the municipality or county does not receive payments in lieu of taxes and such other information as the Department of Agriculture, Conservation and Forestry determines necessary to fulfill the purposes of this subchapter. The filing must be made by a date and on forms established by the Department of Agriculture, Conservation and Forestry to avoid duplicative filings when possible and otherwise reduce administrative burdens. The annual filing must be accompanied by a ~~\$30~~ \$80 fee. The Department of Agriculture, Conservation and Forestry shall maintain a permanent record of the registration and report to the Attorney General any failure of a holder of a conservation easement disclosed by the filing or otherwise known to the Department of Agriculture, Conservation and Forestry. The fees established under this section must be held by the Department of Agriculture, Conservation and Forestry in a nonlapsing, special account to defray the costs of maintaining the registry and carrying out its duties under this section.

### Sec. TT-2. Study of conserved lands owned by nonprofit conservation organizations.

**1. Study.** The Joint Standing Committee on Agriculture, Conservation and Forestry, referred to in this section as "the committee," shall conduct a study of the financial and nonfinancial aspects of conserved lands owned by nonprofit conservation organizations, including property taxes paid, community benefits realized and value of lands to the State's economy.

**2. Staffing; additional assistance.** The Legislative Council shall provide staffing services to the committee. The committee may invite the Department of Agriculture, Conservation and Forestry and other appropriate agencies of State Government to provide additional staff support or assistance to the committee.

**3. Duties.** The committee shall review and evaluate for conserved lands owned by nonprofit organizations:

A. The property tax payments nonprofit conservation organizations make on those conserved lands including property tax payments, payments in lieu of taxes and other similar payments;

B. The economic impact of those conserved lands on other real property, including working farms and commercial forest land, and the access to those conserved lands for licensed Maine guides, commercial fishermen and marine shellfish and worm harvesters;

C. The economic impact of those conserved lands on the public and Maine's tourism economy, including opportunities to hunt, fish, hike, snowmobile, canoe and engage in other outdoor recreational activities. The committee shall determine the miles of trails and the number of water access sites and similar recreational infrastructure;

D. The community benefits of those conserved lands owned by nonprofit conservation organizations, including education programs, downtown revitalization efforts, community gardens, youth sports activities and similar initiatives; and

E. Examine any other issues that the committee determines are related to the purpose of the study.

**4. Input and collaboration.** In conducting the duties under subsection 3, the committee shall seek public input and shall consult and collaborate with relevant stakeholders, including representatives of Maine's nonprofit land trust community.

**5. Meetings.** The committee shall hold at least 3 meetings.

**6. Report.** The committee shall complete its report, including any recommendations for legislation, and provide it to the public no later than February 15, 2018.

## PART UU

**Sec. UU-1. Transfer balances.** Notwithstanding any other provision of law to the contrary, at the close of fiscal year 2016-17, the Department of Agriculture, Conservation and Forestry shall transfer after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute, any remaining balance in the Division of Plant Industry program, Federal Expenditures Fund to the Division of Quality Assurance and Regulation program, Federal Expenditures Fund.

**Sec. UU-2. Transfer balances.** Notwithstanding any other provision of law to the contrary, at the close of fiscal year 2016-17, the Department of Agriculture, Conservation and Forestry shall transfer after the deduction of all allocations, financial com-

mitments, other designated funds or any other transfer authorized by statute, any remaining balance in the Division of Plant Industry program, Other Special Revenue Funds to the Division of Quality Assurance and Regulation program, Other Special Revenue Funds.

#### PART VV

**Sec. VV-1. Rename Forest Health and Monitoring program.** Notwithstanding any other provision of law, the Forest Health and Monitoring program within the Department of Agriculture, Conservation and Forestry is renamed the Forest Resource Management program.

#### PART WW

**Sec. WW-1. Rename Division of Quality Assurance and Regulation program.** Notwithstanding any other provision of law, the Division of Quality Assurance and Regulation program within the Department of Agriculture, Conservation and Forestry is renamed the Bureau of Agriculture program.

#### PART XX

**Sec. XX-1. Rename Coastal Island Registry program.** Notwithstanding any other provision of law, the Coastal Island Registry program within the Department of Agriculture, Conservation and Forestry is renamed the Submerged Lands and Island Registry program.

#### PART YY

**Sec. YY-1. Department of Agriculture, Conservation and Forestry, Maine Farms for the Future account; lapsed balances; General Fund.** Notwithstanding any other provision of law, the State Controller shall lapse \$435,088 of unencumbered balance forward in the All Other line category in the Department of Agriculture, Conservation and Forestry, Maine Farms for the Future Program, General Fund account to the General Fund unappropriated surplus no later than July 31, 2017.

#### PART ZZ

**Sec. ZZ-1. Department of Agriculture, Conservation and Forestry, Division of Forest Protection program; lapsed balances; General Fund.** Notwithstanding any other provision of law to the contrary, the State Controller shall lapse \$1,000,000 of unencumbered balance forward in the Personal Services line category in the Division of Forest Protection program, General Fund account in the Department of Agriculture, Conservation and Forestry to the General Fund unappropriated surplus no later than July 31, 2017.

#### PART AAA

**Sec. AAA-1. Transfer from Other Special Revenue Funds account.** Notwithstanding any

other provision of law, no later than August 30, 2017, the State Controller shall transfer, after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute, \$58,047 from the Department of Agriculture, Conservation and Forestry, Beverage Container Enforcement Fund program, Other Special Revenue Funds account to the General Fund unappropriated surplus.

#### PART BBB

**Sec. BBB-1. Transfer balances from Other Special Revenue Funds accounts in the Department of Agriculture, Conservation and Forestry to General Fund.** Notwithstanding any other provision of law, at the end of fiscal year 2017-18, the State Controller shall transfer \$500,000 from available balances in Other Special Revenue Funds accounts in the Department of Agriculture, Conservation and Forestry to the General Fund unappropriated surplus. On or before June 30, 2018, the Commissioner of Agriculture, Conservation and Forestry shall determine from which accounts the funds must be transferred so that the sum equals \$500,000 and notify the State Controller and the Joint Standing Committee on Appropriations and Financial Affairs of the amounts to be transferred from each account. The commissioner shall exclude the Public Reserved Lands Management Fund when determining from which accounts funds will be transferred.

#### PART CCC

**Sec. CCC-1. 5 MRSA §7-B,** as amended by PL 2011, c. 657, Pt. X, §1 and PL 2013, c. 405, Pt. A, §§23 and 24, is further amended to read:

##### **§7-B. Use of state vehicles for commuting**

A state-owned or state-leased vehicle may not be used by any employee to commute between home and work, except for those vehicles authorized and assigned to employees of the Baxter State Park Authority and to law enforcement officials within the following organizational units: Bureau of State Police; Maine Drug Enforcement Agency; Office of the State Fire Marshal; the division within the Department of Public Safety designated by the Commissioner of Public Safety to enforce the law relating to the manufacture, importation, storage, transportation and sale of all liquor and to administer those laws relating to licensing and collection of taxes on malt liquor and wine; Bureau of Motor Vehicles; Bureau of Marine Patrol; the forest protection unit within the Bureau of Forestry; Bureau of Warden Service; ~~and~~ Bureau of Parks and Lands; and the Office of Chief Medical Examiner, the investigation division and the Medicaid fraud control unit within the Office of the Attorney General.

### PART DDD

**Sec. DDD-1. 5 MRSA §196, first ¶,** as amended by PL 2005, c. 154, §1, is further amended to read:

The Attorney General may appoint one or more deputy attorneys general, assistant attorneys general and staff attorneys who serve at the pleasure of the Attorney General or until their successors are duly appointed and qualified. They may perform all the duties required of the Attorney General and other duties the Attorney General delegates to them. The Attorney General may appoint research assistants with any powers and duties the Attorney General delegates. Research assistants may perform duties delegated to them by the Attorney General, including activities authorized by Title 4, section 807. Notwithstanding any other provisions of law, the compensations of research assistants, law office manager and deputy attorneys general are fixed by the Attorney General. The compensation of the Deputy Chief Medical Examiner is fixed by the Attorney General in consultation with the Chief Medical Examiner and with the approval of the Governor. The compensations of the staff attorneys, assistant attorneys general and secretary to the Attorney General are fixed by the Attorney General with the approval of the Governor, but such compensations may not in the aggregate exceed the amount appropriated for those positions and may not result in an increased request to future Legislatures.

**Sec. DDD-2. 22 MRSA §3022, sub-§2,** as amended by PL 2011, c. 1, Pt. JJ, §1, is further amended to read:

**2. Appointment and qualifications of the Deputy Chief Medical Examiner.** The Chief Medical Examiner may select one or more of the medical examiners to serve as deputy chief medical examiners. The Deputy Chief Medical Examiner serves at the pleasure of the Chief Medical Examiner and, if salaried, is unclassified. The salary of the Deputy Chief Medical Examiner must be set ~~in salary range 59 of the Standard Salary Schedule for Medical Personnel as published by the Bureau of Human Resources in accordance with Title 5, section 196.~~ In the event of the Deputy Chief Medical Examiner's temporary absence, the Chief Medical Examiner or, if the Chief Medical Examiner is unavailable, the Attorney General may designate one of the deputy chief medical examiners to serve as acting Chief Medical Examiner. The acting Chief Medical Examiner has all of the powers and responsibilities of the Chief Medical Examiner.

### PART EEE

**Sec. EEE-1. 22 MRSA §3024, first ¶,** as amended by PL 2013, c. 368, Pt. CC, §1, is further amended to read:

The salary of the Chief Medical Examiner of the State must be set by the Governor. Other nonsalaried

medical examiners and nonsalaried medicolegal death investigators, upon the submission of their completed report to the Chief Medical Examiner, must be paid a fee of up to ~~\$85~~ \$100 for an inspection and view and are entitled to receive travel expenses to be calculated at the mileage rate currently paid to state employees pursuant to Title 5, section 8. An additional fee of \$50 may be authorized by the Chief Medical Examiner for payment to other nonsalaried medical examiners and nonsalaried medicolegal death investigators for visits to death scenes other than hospitals.

### PART FFF

**Sec. FFF-1. 22 MRSA §3035, sub-§1, ¶¶A and B,** as enacted by PL 1997, c. 598, §1, are amended to read:

- A. For report documents, the fees are as follows:
- (1) Report documents when no autopsy has been performed, ~~\$40~~ \$15;
  - (2) Report documents when an autopsy has been performed, ~~\$25~~ \$35; and
  - (3) Report documents under subparagraphs (1) and (2) accompanied by a certificate under section 3022, subsection 6, an additional fee of \$35, \$25 of which accrues to the Secretary of State;
- B. For histological slides, the fees are as follows:
- (1) For each slide, ~~\$40~~ \$12.50;
  - (2) A handling fee per case, ~~\$20~~ \$25; and
  - (3) For 21 slides or more, an additional handling fee, ~~\$20~~ \$25; and

### PART GGG

**Sec. GGG-1. 32 MRSA §1405, 2nd ¶,** as amended by PL 2007, c. 225, §1, is further amended to read:

The body of a deceased person may not be cremated within 48 hours after death unless the person died of a contagious or infectious disease, and in no event may the body of a deceased person be cremated, buried at sea, used by medical science or removed from the State until the person, firm or corporation in charge of the disposition has received a certificate from a duly appointed medical examiner that the medical examiner has made personal inquiry into the cause and manner of death and is satisfied that further examination or judicial inquiry concerning the cause and manner of death is not necessary. This certificate, a certified copy of the death certificate and a burial transit permit when presented by the authorized person as defined in Title 22, section 2846 is sufficient authority for cremation, burial at sea, use by medical science or removal from the State, and the person, firm or corporation in charge of the disposition may not refuse to cremate or otherwise dispose of the body

solely because these documents are presented by such an authorized person. The certificate must be retained by the person, firm or corporation in charge of the cremation or disposition for a period of 15 years. For the certificate, the medical examiner must receive a fee of ~~\$45~~ \$25 payable by the person requesting the certificate. This fee may be waived at the discretion of the Chief Medical Examiner.

### PART HHH

**Sec. HHH-1. Rename Audit - Departmental Bureau program.** Notwithstanding any other provision of law, the Audit - Departmental Bureau program within the Office of the State Auditor is renamed the Audit Bureau program.

### PART III

**Sec. III-1. Rename Audit - Unorganized Territory program.** Notwithstanding any other provision of law, the Audit - Unorganized Territory program within the Office of the State Auditor is renamed the Unorganized Territory program.

### PART JJJ

**Sec. JJJ-1. 34-A MRSA §1403, sub-§13** is enacted to read:

**13. Personal Services balances authorized to carry to Capital Expenditures.** Notwithstanding any other provision of law, beginning at the close of fiscal year 2017-18, the department is authorized to carry all fiscal-year-end balances in the Personal Services line category of General Fund accounts, after the deduction of all allocations, financial commitments, other designated funds or any other transfers authorized by statute, to the Capital Expenditures line category in the Capital Construction/Repairs/Improvements - Corrections program. General Fund account in the department to be used for the purpose of making capital improvements to correctional facilities.

### PART KKK

**Sec. KKK-1. Transfers and adjustments to position count.** The Commissioner of Corrections shall review the current organizational structure of the Department of Corrections to improve organizational efficiency and cost-effectiveness and shall recommend transfers of positions and available balances. Notwithstanding any other provision of law, the State Budget Officer shall transfer the position counts and available balances by financial order in order to achieve the purposes of this section from July 1st to December 1st of each fiscal year of the 2018-2019 biennium. Position adjustments made after December 1st and before July 1st of each fiscal year may not be an adjustment to position count or appropriations. In accordance with the requirements of the Maine Revised Statutes, Title 5, section 1585, a financial order describing such a transfer must be submitted by the Department of Administrative and Financial Services,

Bureau of the Budget to the Office of Fiscal and Program Review 30 days before a transfer is to be implemented. In case of extraordinary emergency transfers, the 30-day prior submission requirement may be waived by vote of the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. Any transfer or adjustment pursuant to this section that would result in a program or mission change or facility closure must be reported by the Bureau of the Budget to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters for review before the associated financial order is submitted to the Governor for approval. These transfers are considered adjustments to authorized position count, appropriations and allocations.

### PART LLL

**Sec. LLL-1. Department of Corrections; transfer of funds for overtime expenses.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the Department of Corrections, by financial order upon the recommendation of the State Budget Officer and approval of the Governor, may transfer Personal Services, All Other or Capital Expenditures funding between accounts within the same fund for the purposes of paying overtime expenses in fiscal years 2017-18 and 2018-19. These transfers are not considered adjustments to appropriations.

### PART MMM

**Sec. MMM-1. Lapse balance; Department of Corrections; Prisoner Boarding - Carrying account; General Fund.** Notwithstanding any other provision of law to the contrary, the State Controller shall lapse \$1,644,985 of unencumbered balance forward in the Prisoner Boarding - Carrying account within the Department of Corrections to the unappropriated surplus of the General Fund no later than June 30, 2018.

### PART NNN

**Sec. NNN-1. Transfer; unexpended funds; Maine Microenterprise Initiative Fund program; Other Special Revenue Funds balance.** Notwithstanding any other provision of law, the State Controller shall transfer \$68,163 no later than the close of fiscal year 2017-18 from the Maine Microenterprise Initiative Fund program, Other Special Revenue Funds account in the Department of Economic and Community Development to the General Fund unappropriated surplus.

### PART OOO

**Sec. OOO-1. Transfer; unexpended funds; Economic Opportunity program; Other Special Revenue Funds balance.** Notwithstanding any other provision of law, the State Controller shall

transfer \$78 no later than June 30, 2018 from the Economic Opportunity program, Other Special Revenue Funds account in the Department of Economic and Community Development to the General Fund unappropriated surplus.

### PART PPP

#### **Sec. PPP-1. Transfer; Job Retention Program, Other Special Revenue Funds balance.**

Notwithstanding any other provision of law, the State Controller shall transfer \$2,765 no later than June 30, 2018 from the Job Retention Program, Other Special Revenue Funds account in the Department of Economic and Community Development to the General Fund unappropriated surplus.

### PART QQQ

**Sec. QQQ-1. 20-A MRSA §203, sub-§1,** ~~¶O~~, as enacted by PL 2015, c. 267, Pt. NN, §2, is repealed and the following enacted in its place:

#### O. Director of Special Projects.

### PART RRR

**Sec. RRR-1. 20-A MRSA §6401-A, sub-§1,** as enacted by PL 2011, c. 380, Pt. DD, §2, is amended to read:

**1. Establishment.** The position of school nurse consultant is established within the department. ~~The Policy Director of Special Services within the department shall supervise the school nurse consultant.~~

### PART SSS

**Sec. SSS-1. 20-A MRSA §7209, sub-§4,** as amended by PL 2013, c. 338, §1, is further amended to read:

**4. Director of early childhood special education.** The commissioner or the commissioner's designee shall appoint and supervise a director of early childhood special education. The director has the following powers and duties:

A. To administer the state intermediate educational unit established under subsection 3 and programs established pursuant to subsection 3-A. The director shall develop operating policies and establish organizational and operational procedures that include supervision, monitoring, data and accountability structures;

A-1. To oversee the operation of the regional sites;

B. To develop statewide policies and procedures for carrying out federal and state laws and rules relating to child find, early intervention services and the provision of a free, appropriate public education to children from birth to under 6 years of age;

C. To provide training in federal and state laws, regulations, rules and policies relating to child find as provided in 20 United States Code, Section 1412 (a) (3), early intervention services and the provision of a free, appropriate public education to children from birth to under 6 years of age and to conduct regular file reviews to determine compliance with federal and state laws, regulations, rules and policies and conduct training and provide technical assistance where deficiencies are found;

E. To report annually by February 15th to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs, the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs on the performance of the Child Development Services System. This report must be posted on the publicly accessible website of the department. The report must include:

(1) The following financial information for the Child Development Services System in total and separately for the services provided to eligible children from birth to under 3 years of age and at least 3 years of age and under 6 years of age when the information can be separated for these age categories:

(a) Actual expenditures compared to the budget for each of the last 3 fiscal years for each regional site, the central office and the total Child Development Services System by function, including case management, direct services and administration;

(b) Actual expenditures compared to the budget for each of the last 3 fiscal years for each regional site, the central office and the total Child Development Services System by expense type, including salaries, benefits, contracted services and transportation;

(c) Actual revenues received compared to the budget for each of the last 3 fiscal years by revenue source; and

(d) The total dollar value of MaineCare claims paid through the Department of Health and Human Services for each of the last 3 fiscal years for services provided pursuant to children's individualized education programs or individualized family service plans that were billed directly to the MaineCare program by contracted service providers;

(2) The following data for the Child Development Services System in total and separately for the services provided to eligible children from birth to under 3 years of age and at least 3 years of age and under 6 years of age, including descriptions of any notable variations in these data among regional sites and any notable year-to-year trends over the past 5 years:

(a) The number of children referred to the Child Development Services System in the prior year by referral source, including the screening programs in Title 22, sections 1532, 8824 and 8943, and the percentage of children referred found eligible for services;

(b) The number of children who entered the Child Development Services System in the prior year, categorized by primary disability;

(c) The number of children who exited the Child Development Services System in the prior year, categorized by primary disability and the reason for exit;

(d) The number of children who transitioned in the prior year from early intervention services for children from birth to under 3 years of age to special education and related services for children at least 3 years of age and under 6 years of age;

(e) The unduplicated count of children who received direct services as of December 1st in the prior year;

(f) The number of children who received direct services in the prior year by regional site and in total for the Child Development Services System, categorized by primary disability;

(g) For each primary disability category, the number of children who received, in the prior year, each primary type of therapy or service;

(h) The percentage of children who received direct services in the prior year who had MaineCare coverage for all or some of the services specified in their individualized education programs or individualized family service plans and the percentage of children who received direct services in the prior year who had private insurance coverage for all or some of the services specified in their individualized education programs or individualized family service plans;

(i) Beginning January 1, 2015, the number of children who received direct services in the prior year who were born in the State and the number of children who received direct services in the prior year who were born in the State and who were delivered at home;

(j) Beginning January 1, 2015, the total number of children who were referred in the prior year for support outside of the Child Development Services System under subsection 3-A, paragraph G and the number of children who received direct services in the prior year who were referred for support outside of the Child Development Services System under subsection 3-A, paragraph G; and

(k) Beginning January 1, 2015, the number of children who received direct services in the prior year who received all of the services in their individualized family service plan or individualized education program and the number of children who received direct services in the prior year who received less than 90% of the services in their individualized family service plan or individualized education program;

(3) A listing of the regional sites and their locations and the following data for the Child Development Services System in total and by regional site, including descriptions of any notable variations in these statistics among regional sites and any notable year-to-year trends over the past 5 fiscal years:

(a) The total number of employees by function and the number of new employees hired in the prior fiscal year by function;

(b) The number of private providers that contracted with the Child Development Services System to provide direct services, including transportation services, and the number of contracted providers delivering each type of service in the prior fiscal year;

(c) The number of children who received direct services provided by Child Development Services System employees in the prior fiscal year and the number of children who received direct services provided by contracted private providers in the prior fiscal year;

(d) The number of preschool or day care programs operated by each regional site, the average enrollment in each program,

the percentage of enrollees that are children receiving services under individualized education programs or individualized family service plans and expenses and revenues for the prior fiscal year associated with the programs in each site; and

(e) The number of children who received direct services in the prior fiscal year while placed in preschool programs operated by public school systems;

(4) Statistics and analysis of the following Child Development Services System performance measures for the prior fiscal year, including descriptions of any notable variations in these measures among regional sites and any notable year-to-year trends over the past 5 fiscal years:

(a) Measures of compliance with key federal requirements related to timeliness, quality and effectiveness of service as set out in required annual federal reporting under the federal Individuals with Disabilities Education Act;

(b) Measures of compliance with key state requirements related to timeliness, quality and effectiveness of service as set out in statute and rules;

(c) Measures of productivity for Child Development Services System employees providing case management and direct services to children;

(d) Measures of per unit costs, including the average cost of delivered services per child by primary disability type, the average cost per unit of each type of therapy or service delivered by Child Development Services System staff and the average cost per unit of each type of therapy or service delivered by contracted providers;

(e) Beginning January 1, 2015, the average age, both in aggregate and by primary disability type, at which children who were born in the State began receiving services from the Child Development Services System and the average age, both in aggregate and by primary disability type, at which children who were born in the State and who were delivered at home began receiving services from the Child Development Services System; and

(f) Any other performance goals and measures established by the Child De-

velopment Services System to monitor effectiveness, efficiency and the cost of the Child Development Services System, which may include results of surveys of parents and guardians on the quality and effectiveness of services;

(5) Beginning January 1, 2015, a report by each regional site in the Child Development Services System demonstrating trends of Child Development Services System employee costs and the results of coordination, utilization and development of services with a broad base of community resources, including private providers and public schools, midwives, resources from other agencies and other resources serving families and children from birth to under 6 years of age, consistent with the provisions of Title 22, section 3571, subsection 3; and

(6) A description of current and emerging trends and challenges that are having an effect on or are expected to have an effect on costs, services or service delivery methods of the Child Development Services System; and

F. To provide the following data by the 20th day of each month to the Office of Fiscal and Program Review, either in a monthly report or by providing the office electronic access to the computer systems and applications by which the raw data are stored, for each regional site and the central office:

(1) Monthly actual and budgeted revenue by funding source for the prior month; and

(2) Monthly actual and budgeted expenditures by funding source and by expenditure category for the prior month.

For the purposes of this subsection, "direct services" includes evaluations; therapies; special instruction; the use of specially designed materials for instruction, screening and testing; the use of assistive technology devices; and transportation and use of physical space associated with providing other direct services.

### PART TTT

This Part left blank intentionally.

### PART UUU

**Sec. UUU-1. Transfer from General Fund unappropriated surplus; Fund for Efficient Delivery of Educational Services, Other Special Revenue Funds account; fiscal year 2017-18.** Notwithstanding any other provision of law, the State Controller shall transfer \$5,000,000 from the General Fund unappropriated surplus to the Fund for Efficient Delivery of Educational Services, Other Spe-

cial Revenue Funds account within the Department of Education no later than June 30, 2018.

**Sec. UUU-2. Transfer from General Fund unappropriated surplus; Fund for Efficient Delivery of Educational Services, Other Special Revenue Funds account; fiscal year 2018-19.** Notwithstanding any other provision of law, the State Controller shall transfer \$5,000,000 from the General Fund unappropriated surplus to the Fund for Efficient Delivery of Educational Services, Other Special Revenue Funds account within the Department of Education no later than June 30, 2019.

#### PART VVV

**Sec. VVV-1. Lease-purchase authorization; Department of Education's learning through technology program.** Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Education may enter into financing agreements in fiscal years 2017-18 and 2018-19 for the acquisition of portable learning devices and support systems for students and educators to support the operations of the Department of Education's learning through technology program. The financing agreements may not exceed 4 years in duration and \$50,000,000 in principal costs for the Department of Education's learning through technology program. The interest rate may not exceed 8%, and the total interest costs may not exceed \$4,000,000. 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.

#### PART WWW

**Sec. WWW-1. PL 2013, c. 595, Pt. H, §1,** as amended by PL 2015, c. 267, Pt. JJJJ, §1, is further amended to read:

**Sec. H-1. Personal Services balances; Maine Health Data Organization; transfers authorized.** Notwithstanding any other provision of law, in the 2014-2015 ~~and~~ 2016-2017 ~~bienniums and~~ 2018-2019 biennia, the Maine Health Data Organization upon recommendation of the State Budget Officer and approval of the Governor is authorized to transfer by financial order up to \$265,450 in each fiscal year of the 2014-2015 biennium ~~and~~, up to \$286,000 in each fiscal year of the 2016-2017 biennium ~~and up to~~ \$290,000 in each fiscal year of the 2018-2019 biennium in available balances of Personal Services allocations, after all salary, benefit and other obligations are met, to the All Other line category in the Maine Health Data Organization, Other Special Revenue Funds account.

#### PART XXX

This Part left blank intentionally.

#### PART YYY

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#### PART ZZZ

This Part left blank intentionally.

#### PART AAAA

**Sec. AAAA-1. 22 MRSA c. 250-A,** as amended, is repealed.

**Sec. AAAA-2. 36 MRSA §5283-A, sub-§1,** as enacted by PL 2011, c. 685, §3, is amended to read:

##### 1. Minimum threshold for total contributions.

The State Tax Assessor may not include on an individual income tax return form a designation for a taxpayer to make a contribution through a checkoff under section 5284, 5284-A, 5285, ~~5285-A~~, 5288-A, 5289, 5290 or 5291 unless on returns filed in the prior calendar year the total contributions to the organization or fund to which the contributions are credited under the applicable section are at least:

- A. For calendar year 2012, \$10,000;
- B. For calendar year 2013, \$13,000;
- C. For calendar year 2014, \$16,000;
- D. For calendar year 2015, \$19,000;
- E. For calendar year 2016, \$22,000; and
- F. For calendar years beginning on or after January 1, 2017, \$25,000.

This subsection does not apply to a contribution checkoff that has been on the individual income tax form for less than one year.

**Sec. AAAA-3. 36 MRSA §5285-A,** as amended by PL 2011, c. 685, §7, is repealed.

#### PART BBBB

**Sec. BBBB-1. 22 MRSA §1407, sub-§4,** as enacted by PL 2007, c. 341, §1, is repealed.

#### PART CCCC

**Sec. CCCC-1. 22 MRSA §1552, sub-§4,** as amended by PL 2003, c. 673, Pt. CC, §1, is further amended to read:

**4. Application fees.** All application fees must be deposited in the General Fund Health Inspection Program account, which is an Other Special Revenue Funds account in the Maine Center for Disease Control and Prevention, to be used by the department to defray administrative costs for retail tobacco licensure.

**PART DDDD**

**Sec. DDDD-1. 22 MRSA §1700-A**, as enacted by PL 2005, c. 672, §2 and affected by §§6 and 8, is repealed.

**Sec. DDDD-2. 36 MRSA §5283-A, sub-§1**, as enacted by PL 2011, c. 685, §3, is amended to read:

**1. Minimum threshold for total contributions.**

The State Tax Assessor may not include on an individual income tax return form a designation for a taxpayer to make a contribution through a checkoff under section 5284, 5284-A, 5285, 5285-A, 5288-A, 5289; ~~5290~~ or 5291 unless on returns filed in the prior calendar year the total contributions to the organization or fund to which the contributions are credited under the applicable section are at least:

- A. For calendar year 2012, \$10,000;
- B. For calendar year 2013, \$13,000;
- C. For calendar year 2014, \$16,000;
- D. For calendar year 2015, \$19,000;
- E. For calendar year 2016, \$22,000; and
- F. For calendar years beginning on or after January 1, 2017, \$25,000.

This subsection does not apply to a contribution checkoff that has been on the individual income tax form for less than one year.

**Sec. DDDD-3. 36 MRSA §5290**, as amended by PL 2011, c. 685, §10, is repealed.

**PART EEEE**

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**PART FFFF**

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**PART GGGG**

This Part left blank intentionally.

**PART HHHH**

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**PART IIII**

**Sec. IIII-1. 36 MRSA §2892**, as amended by PL 2013, c. 368, Pt. QQ, §1, is further amended by adding at the end a new paragraph to read:

For state fiscal years beginning on or after July 1, 2017, the hospital's taxable year is the hospital's fiscal year that ended during calendar year 2014.

**PART JJJJ**

This Part left blank intentionally.

**PART KKKK**

This Part left blank intentionally.

**PART LLLL**

**Sec. LLLL-1. Transition provisions.** Notwithstanding any other provision of law, at the end of fiscal year 2016-17, the State Controller, on behalf of the Department of Health and Human Services, formerly the Department of Behavioral and Developmental Services, shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balances to the corresponding accounts in the Department of Health and Human Services. Additionally, all existing contracts, agreements and compacts currently in effect in the Department of Health and Human Services, formerly the Department of Behavioral and Developmental Services, continue in effect.

**PART MMMM**

**Sec. MMMM-1. PL 2007, c. 240, Pt. X, §2**, as amended by PL 2015, c. 267, Pt. BBB, §1, is further amended to read:

**Sec. X-2. Transfer of funds.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, until June 30, ~~2017~~ 2019, 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.

**PART NNNN**

**Sec. NNNN-1. Department of Health and Human Services; transfer of funds for MaineCare payments authorized.** Notwithstanding any provision of law, for fiscal years 2017-18 and 2018-19 only, available balances of appropriations, excluding balances in the IV-E Foster Care/Adoption Assistance and State-funded Foster Care/Adoption Assistance programs, including available balances of Personal Services appropriations from any account within the Department of Health and Human Services, may be transferred among MaineCare, MaineCare-related and non-MaineCare-related accounts by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

**Sec. NNNN-2. Transfer of Personal Services balances to All Other; state psychiatric centers.** Notwithstanding any other provision of law, for fiscal years 2017-18 and 2018-19 only, the Department of Health and Human Services is authorized to transfer available balances of Personal Services appropriations in the Disproportionate Share - Dorothea Dix Psychiatric Center program, the Disproportionate Share - Riverview Psychiatric Center program and the Riverview Psychiatric Center program after all salary, benefit and other obligations are met to the All Other line category of those programs. These amounts

may be transferred by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

#### PART OOOO

**Sec. OOOO-1. PL 2015, c. 267, Pt. DDD, §1** is amended to read:

**Sec. DDD-1. Transfer of funds.** Notwithstanding any other provision of law, before fiscal year 2019-20, dedicated family support services funds within the Department of Health and Human Services, Developmental Services - Community program may be transferred to support individuals receiving services to the Office of Aging and Disability Services Central Office program and the Long Term Care - Office of Aging and Disability Services program by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

#### PART PPPP

**Sec. PPPP-1. Transfer of funds.** Notwithstanding any other provision of law, for fiscal years 2017-18 and 2018-19 only, the Department of Health and Human Services is authorized to transfer available balances of All Other or Personal Services appropriations, after all salary, benefit and other obligations are met, in the Developmental Services - Community program to the Personal Services line category of the Crisis Outreach Program by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

#### PART QQQQ

**Sec. QQQQ-1. Transfer of funds.** Notwithstanding any other provision of law, for fiscal years 2017-18 and 2018-19, the Department of Health and Human Services may transfer available balances of appropriations from the State-funded Foster Care/Adoption Assistance program in the All Other line category to the Office of Child and Family Services - Central and the Office of Child and Family Services - District programs to fund expenditures in the Personal Services or All Other line category that are incurred due to the cost of administering the child welfare program. These amounts may be transferred by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

#### PART RRRR

**Sec. RRRR-1. Rename Office of the Commissioner program.** Notwithstanding any other provision of law, the Office of the Commissioner program within the Department of Health and Human

Services is renamed the Department of Health and Human Services Central Operations program.

#### PART SSSS

**Sec. SSSS-1. Rename Division of Licensing and Regulatory Services program.** Notwithstanding any other provision of law, the Division of Licensing and Regulatory Services program within the Department of Health and Human Services is renamed the Division of Licensing and Certification program.

#### PART TTTT

**Sec. TTTT-1. Emergency rule-making authority; health and human services matters.** The Department of Health and Human Services may adopt emergency rules under the Maine Revised Statutes, Title 5, sections 8054 and 8073 as necessary to implement those provisions of this Act over which the department has subject matter jurisdiction for which specific authority has not been provided in any other Part of this Act without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or general welfare.

#### PART UUUU

**Sec. UUUU-1. 4 MRSA §1804, sub-§2, ¶A,** as enacted by PL 2009, c. 419, §2, is amended to read:

A. Standards governing eligibility for indigent legal services. The eligibility standards must take into account the possibility of a defendant's or civil party's ability to make periodic installment payments toward counsel fees;

**Sec. UUUU-2. 4 MRSA §1804, sub-§2, ¶D,** as enacted by PL 2009, c. 419, §2, is amended to read:

D. Standards for the evaluation of assigned counsel and contract counsel. The commission shall review the standards developed pursuant to this paragraph every 5 years or upon the earlier recommendation of the executive director;

**Sec. UUUU-3. 4 MRSA §1804, sub-§3, ¶B,** as enacted by PL 2009, c. 419, §2, is amended to read:

B. Develop and maintain an assigned counsel voucher review and payment authorization system that includes disposition information;

**Sec. UUUU-4. 4 MRSA §1804, sub-§3, ¶H,** as enacted by PL 2009, c. 419, §2, is amended to read:

H. Submit By January 15th of each year, submit to the Legislature, the Chief Justice of the Supreme Judicial Court and the Governor an annual report on the operation, needs and costs of the indigent legal services system. The report must include:

(1) An evaluation of: contracts; services provided by contract counsel and assigned coun-

sel; any contracted professional services; and cost containment measures; and

(2) An explanation of the relevant law changes to the indigent legal services covered by the commission and the effect of the changes on the quality of representation and costs.

The joint standing committee of the Legislature having jurisdiction over judiciary matters may report out legislation on matters related to the report;

**Sec. UUUU-5. 4 MRSA §1804, sub-§3, ¶J,** as amended by PL 2013, c. 159, §12, is further amended to read:

J. Develop an administrative review and appeal process for attorneys who are aggrieved by a decision of the executive director, or the executive director's designee, determining:

(1) Whether an attorney meets the minimum eligibility requirements to receive assignments or to receive assignments in specialized case types pursuant to any commission rule setting forth eligibility requirements;

(2) Whether an attorney previously found eligible is no longer eligible to receive assignments or to receive assignments in specialized case types pursuant to any commission rule setting forth eligibility requirements; and

(3) Whether to grant or withhold a waiver of the eligibility requirements set forth in any commission rule.

All decisions of the commission, including decisions on appeals under subparagraphs (1), (2) and (3), constitute final agency action. All decisions of the executive director, or the executive director's designee, other than decisions appealable under subparagraphs (1), (2) and (3), constitute final agency action; ~~and~~

**Sec. UUUU-6. 4 MRSA §1804, sub-§3, ¶K,** as enacted by PL 2013, c. 159, §13, is amended to read:

K. Pay appellate counsel;

**Sec. UUUU-7. 4 MRSA §1804, sub-§3, ¶¶L and M** are enacted to read:

L. Establish processes and procedures to acquire investigative and expert services that may be necessary for a case, including contracting for such services; and

M. Establish procedures for handling complaints about the performance of counsel providing indigent legal services.

**Sec. UUUU-8. 4 MRSA §1805, sub-§6,** as enacted by PL 2009, c. 419, §2, is amended to read:

**6. Personnel.** Subject to policies and procedures established by the commission, hire or contract professional, technical and support personnel, including attorneys, considered reasonably necessary for the efficient delivery of indigent legal services;

**Sec. UUUU-9. 4 MRSA §1805, sub-§7, ¶A-1** is enacted to read:

A-1. A monthly report on the amount of revenue collected from counsel fee collections, including counsel expenses recouped each month and for the year to date;

**Sec. UUUU-10. 4 MRSA §1805, sub-§7, ¶B,** as enacted by PL 2009, c. 419, §2, is amended to read:

B. An annual report containing pertinent data on the operation, needs and costs of the indigent legal services system; ~~and~~

**Sec. UUUU-11. 4 MRSA §1805, sub-§7, ¶B-1** is enacted to read:

B-1. A monthly report on the number of cases opened, the number of vouchers submitted, the amount of vouchers paid, the amount of payments to contract counsel, the number of requests for professional services, the amount of payments for professional services and information on any complaints made against assigned or contract counsel;

**Sec. UUUU-12. 4 MRSA §1805, sub-§10,** as enacted by PL 2009, c. 419, §2, is amended to read:

**10. Other funds.** Apply for and accept on behalf of the commission funds that may become available from any source, including government, nonprofit or private grants, gifts or bequests. These non-General Fund funds do not lapse at the end of the fiscal year but must be carried forward to be used for the purpose originally intended;

**Sec. UUUU-13. 4 MRSA §1805, sub-§10-A** is enacted to read:

**10-A. Reimbursement of expenses.** Administer and improve reimbursement of expenses incurred by assigned counsel and contract counsel as described in section 1805-A;

**Sec. UUUU-14. 4 MRSA §1805-A** is enacted to read:

**§1805-A. Indigency determinations; redeterminations; verifications; collections**

**1. Duties.** The executive director shall administer and improve reimbursement of expenses incurred by assigned counsel and contract counsel by:

A. Establishing procedures to ensure that the eligibility of defendants and civil parties is verified and reviewed randomly and when circumstances have changed, information has changed, additional information is provided or as otherwise needed;

B. Petitioning the court to reassess the indigency of a defendant or civil party if the executive director determines that indigency should be reassessed;

C. Providing to the commission recommendations to improve reimbursement of expenses;

D. Requiring that the amount of time spent on each case by assigned counsel or contract counsel is recorded separately for each case; and

E. Receiving from the courts collections for the costs of representation from defendants or civil parties who are found to be partially indigent or who have otherwise been determined to be able to reimburse the commission for expenses incurred by assigned counsel or contract counsel.

**2. Determination of defendant's or civil party's eligibility.** The executive director shall provide the court having jurisdiction over a proceeding information used to determine indigency for guidance to the court in determining a defendant's or civil party's financial ability to obtain private counsel.

**3. Partial indigency and reimbursement.** This subsection applies to partial indigency and reimbursement of expenses incurred by assigned counsel or contract counsel.

A. If the court determines that a defendant or civil party is unable to pay to obtain private counsel but is able to contribute to payment of assigned counsel or contract counsel, the court shall order the defendant or civil party to make installment payments up to the full cost of representation or to pay a fixed contribution. The court shall remit payments received to the commission.

B. A defendant or civil party may not be required to pay for legal services in an amount greater than the expenses actually incurred.

C. Upon petition of a defendant or civil party who is incarcerated, the court may suspend an order for reimbursement issued pursuant to this subsection until the time of the defendant's or civil party's release.

D. The executive director may enter into contracts to secure the reimbursement of fees and expenses paid by the commission as provided for in this section.

**Sec. UUUU-15. 15 MRSA §1074, sub-§3,** as amended by PL 2003, c. 87, §1, is further amended to read:

**3. Setoff of defendant's property.** When a defendant has deposited cash or other property owned by the defendant as bail or has offered real estate owned by the defendant and subject to a bail lien as bail and the cash, other property or real estate has not been forfeited, the court, before ordering the cash or other property returned to the defendant or discharging the real estate bail lien, shall determine whether the cash, other property or real estate or any portion of the cash, other property or real estate is subject to setoff as authorized by this section. The court may order all or a portion of the bail owned by a defendant that has not been forfeited to be first paid and applied to one or more of the following:

A. Any fine, forfeiture, penalty or fee imposed upon a defendant as part of the sentence for conviction of any offense arising out of the criminal proceeding for which the bail has been posted and the sentence for conviction of any offense in an unrelated civil or criminal proceeding;

B. Any amount of restitution the defendant has been ordered to pay as part of the sentence imposed in the proceeding for which bail has been posted and in any unrelated proceeding;

C. Any amount of attorney's fees or other expense authorized by the court at the request of the defendant or attorney and actually paid by the State on behalf of the defendant on the ground that the defendant has been found to be indigent in the proceeding for which bail has been posted and in any unrelated proceeding; and

D. Any surcharge imposed by Title 4, section 1057.

The court shall apply any bail collected pursuant to this subsection first to restitution then to attorney's fees and then to fines and surcharges.

**Sec. UUUU-16. 36 MRSA §191, sub-§2,** ¶DDD is enacted to read:

DDD. The disclosure by employees of the bureau to an authorized representative of the Maine Commission on Indigent Legal Services for determining the eligibility for indigent legal services and the ability to reimburse expenses incurred for assigned counsel and contract counsel under Title 4, chapter 37.

**Sec. UUUU-17. Working group established.** Notwithstanding Joint Rule 353, the Working Group to Improve the Provision of Indigent Legal Services, referred to in this section as "the working group," is established.

**1. Membership.** The working group consists of 11 members appointed as follows:

A. Two members of the Senate appointed by the President of the Senate, including members from

each of the 2 parties holding the largest number of seats in the Legislature;

B. Two members of the House of Representatives appointed by the Speaker of the House, including members from each of the 2 parties holding the largest number of seats in the Legislature;

C. Two members appointed by Chief Justice of the Supreme Judicial Court, at least one of whom is on a court-appointed attorney roster administered by the Maine Commission on Indigent Legal Services;

D. The Attorney General or the Attorney General's designee;

E. The Commissioner of Administrative and Financial Services or the commissioner's designee;

F. The Director of the Governor's Office of Policy and Management or the director's designee;

G. The President of the Maine Prosecutors Association or the president's designee; and

H. The Chair of the Maine Commission on Indigent Legal Services or the chair's designee.

**2. Chairs.** The first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the working group.

**3. Appointments; convening.** All appointments must be made no later than 30 days following the effective date of this section. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. When the appointment of all members has been completed, the chairs shall call and convene the first meeting of the working group. If 30 days or more after the effective date of this section a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the working group to meet and conduct its business.

**4. Duties.** The working group shall develop recommendations to improve the delivery of indigent legal services to those eligible to receive such services in the State. The recommendations must focus on ensuring adequate representation, increasing the efficiency in delivering legal services, verifying eligibility throughout representation and reducing costs while still fully honoring the constitutional and statutory obligations to provide representation. Notwithstanding any other provision of law, the working group may access data maintained by the Maine Commission on Indigent Legal Services and shall maintain the confidentiality of any confidential information provided to the working group. The working group may invite the participation and input of additional interested parties and request information as necessary to carry out its duties.

**5. Staff assistance.** The Legislative Council shall provide necessary staffing services to the working group.

**6. Report.** No later than December 6, 2017, the working group shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the 2nd Regular Session of the 128th Legislature. The Joint Standing Committee on Judiciary may report out to the Second Regular Session of the 128th Legislature legislation to implement recommendations on matters related to the report.

**Sec. UUUU-18. Transfer from General Fund; indigent legal services.** On or immediately after July 1, 2018, the State Controller shall transfer \$19,205,270 from the unappropriated surplus of the General Fund to the Maine Commission on Indigent Legal Services, Reserve for Indigent Legal Services program, Other Special Revenue Funds. Funds transferred pursuant to this section may not be transferred out of the Reserve for Indigent Legal Services program without legislative approval.

#### PART VVVV

**Sec. VVVV-1. 12 MRSA §10202, sub-§9,** as amended by PL 2015, c. 267, Pt. NNN, §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 ~~2018-2019~~ 2020-2021 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 WWWW

**Sec. WWWW-1. Transfer of funds; Department of Inland Fisheries and Wildlife carrying account.** On or before August 1, 2017, the State Controller shall transfer \$39,000 from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account for the purchase of one replacement aircraft engine. On or before August 1, 2018, the State Controller shall transfer \$43,000 from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account for the purchase of one replacement aircraft engine.

#### PART XXXX

**Sec. XXXX-1. 4 MRSA §6-B,** as amended by PL 2003, c. 290, §1, is further amended to read:

### **§6-B. Per diem compensation for Active Retired Justices of the Supreme Judicial Court**

Any Active Retired Justice of the Supreme Judicial Court, who performs judicial service at the direction and assignment of the Chief Justice of the Supreme Judicial Court, must be compensated for those services at the rate of ~~\$300~~ \$350 per day or ~~\$175~~ \$200 per 1/2 day, provided that the total per diem compensation and retirement pension received by an Active Retired Justice of the Supreme Judicial Court in any calendar year does not exceed the annual salary of a Justice of the Supreme Judicial Court as long as the total compensation received under this section by an Active Retired Justice of the Supreme Judicial Court in any calendar year does not exceed 75% of the annual salary of an Associate Justice of the Supreme Judicial Court set pursuant to section 4. An Active Retired Justice of the Supreme Judicial Court who receives compensation under this section does not accrue additional creditable service for benefit calculation purposes and is not entitled to any other employee benefit, including health, dental or life insurance.

**Sec. XXXX-2. 4 MRSA §104-A**, as amended by PL 2001, c. 439, Pt. DDD, §1, is further amended to read:

#### **§104-A. Per diem compensation for Active Retired Superior Court Justices**

Any Active Retired Justice of the Superior Court, who performs judicial service at the direction and assignment of the Chief Justice of the Supreme Judicial Court, is compensated for those services at the rate of ~~\$300~~ \$350 per day or ~~\$175~~ \$200 per 1/2 day, provided that the total per diem compensation and retirement pension received by an Active Retired Justice of the Superior Court in any calendar year does not exceed the annual salary of a Justice of the Superior Court as long as the total compensation received under this section by an Active Retired Justice of the Superior Court in any calendar year does not exceed 75% of the annual salary of a Justice of the Superior Court set pursuant to section 102. An Active Retired Justice of the Superior Court who receives compensation under this section does not accrue additional creditable service for benefit calculation purposes and is not entitled to any other employee benefit, including health, dental or life insurance.

**Sec. XXXX-3. 4 MRSA §157-D**, as amended by PL 2001, c. 439, Pt. DDD, §2, is further amended to read:

#### **§157-D. Active retired judges; compensation**

Any Active Retired Judge of the District Court, who performs judicial service at the direction and assignment of the Chief Judge of the District Court, is compensated for those services at the rate of ~~\$300~~ \$350 per day or ~~\$175~~ \$200 per 1/2 day, provided that the total per diem compensation and retirement pen-

sion received by an Active Retired Judge of the District Court in any calendar year does not exceed the annual salary of a Judge of the District Court as long as the total compensation received under this section by an Active Retired Judge of the District Court in any calendar year does not exceed 75% of the annual salary of an Associate Judge of the District Court set pursuant to section 157. An Active Retired Judge of the District Court who receives compensation under this section does not accrue additional creditable service for benefit calculation purposes and is not entitled to any other employee benefit, including health, dental or life insurance.

**Sec. XXXX-4. Judges and justice salary adjustment.** Notwithstanding any provision of the Maine Revised Statutes, Title 4, on July 1, 2017, the salary of each judge or justice of the Supreme Judicial, Superior or District Court must be increased by 3%; and on July 1, 2018, the salary of each judge or justice on the Supreme Judicial, Superior or District Court must be increased by 3%.

### **PART YYYY**

**Sec. YYYY-1. 4 MRSA §17-A**, as amended by PL 2013, c. 502, Pt. V, §1, is further amended to read:

#### **§17-A. Publications and technology**

**1. Informational publications and record searches.** The State Court Administrator may establish a fee schedule to cover the cost of printing and distribution of publications and forms, the procedures for the sale of these publications and forms and record searches performed by Judicial Department employees.

**2. Fund; fees deposited.** All fees collected under this section from the sale of publications or forms must be deposited in a fund for use by the State Court Administrator to fund publications, forms and information technology. Twenty percent of fees collected for record searches under subsection 1 must be deposited in the fund, and 80% of fees collected for such record searches must be deposited in the General Fund.

**3. Fees and surcharges for electronic filing.** The Supreme Judicial Court may by court rules or administrative orders raise or establish fees for online case searches performed by Judicial Department employees and electronic document delivery and case filings and surcharges on fines to support the operating costs of maintaining an electronic filing and court information management system. All revenues collected under this subsection must be deposited in a fund to be used for those operating costs, including, but not limited to, costs of electronic filing, imaging and hardware, software maintenance fees and hardware maintenance fees and personnel costs.

## PART ZZZZ

**Sec. ZZZZ-1. 26 MRSA §1081, sub-§4** is enacted to read:

**4. Removal.** Members of the commission must be sworn and may be removed by the Governor for inefficiency, willful neglect of duty or malfeasance in office, but only with the review and concurrence of the joint standing committee of the Legislature having jurisdiction over labor matters upon hearing in executive session or by impeachment. Before removing a commission member, the Governor shall notify the President of the Senate and the Speaker of the House of Representatives of the removal and the reasons for the removal.

## PART AAAAA

**Sec. AAAAA-1. 26 MRSA §1082, sub-§14, ¶¶A and B,** as amended by PL 1995, c. 657, §2 and affected by §10, are further amended to read:

A. The Director of Unemployment Compensation or a representative of the commissioner duly authorized by the commissioner to do so shall determine whether an employing unit is an employer and whether services performed for or in connection with the business of the employing unit constitute employment, and shall give written notice of the determination to the employing unit. Unless the employing unit, within 30 calendar days after notification was mailed to its last known address, files an appeal from that determination to the Division of Administrative Hearings, the determination is final.

B. After a determination has been made under paragraph A, the Director of Unemployment Compensation or a representative of the commissioner may within one year reconsider the determination in the light of additional evidence and make a redetermination and shall give written notice of the redetermination to the employing unit. Unless the employing unit, within 30 calendar days after notification was mailed to its last known address, files an appeal from that redetermination to the Division of Administrative Hearings, the redetermination is final.

**Sec. AAAAA-2. 26 MRSA §1082, sub-§14, ¶C,** as amended by PL 1981, c. 470, Pt. A, §145, is repealed.

**Sec. AAAAA-3. 26 MRSA §1082, sub-§14, ¶D,** as amended by PL 1977, c. 694, §472, is further amended to read:

~~D. Appeal. Upon appeal of such determination or redetermination, the commission shall after affording the employing unit a reasonable opportunity for a fair hearing, make findings of fact and render its decision which may affirm, modify, or reverse the determination of the Director of Un-~~

~~employment Compensation or its representative. Such hearings shall be conducted in accordance with Title 5, section 9051 et seq. The employer or the commissioner may appeal a decision of the Division of Administrative Hearings to the commission, which may affirm, modify or reverse the decision upon review of the record. The commission may hold further hearings or may remand the case to the Division of Administrative Hearings for the taking of additional evidence. The commission shall notify the parties to the proceeding of its findings of fact and decision, and such decision shall be is subject to appeal pursuant to Title 5, section 11001 et seq. In the absence of appeal therefrom, the determination of the commission, together with the record of the proceeding under this subsection, shall be is admissible in any subsequent material proceeding under this chapter, and if supported by evidence, and in the absence of fraud, shall be is conclusive, except as to errors of law, upon any employing unit which that was a party to the proceeding under this subsection.~~

**Sec. AAAAA-4. 26 MRSA §1226,** as amended by PL 1995, c. 657, §6 and affected by §10, is further amended to read:

**§1226. Appeal of determination or assessment****1. Appeal to the commission.**

A. An employer may appeal determinations by the commissioner or the commissioner's designated representatives made under sections 1082, subsection 14, 1221, 1222 and, 1225 and 1228, or an assessment made under section 1225, to the ~~commission~~ Division of Administrative Hearings by filing an appeal, in accordance with ~~regulations~~ rules that the commission prescribes, within 30 days after notification is mailed to the employer's last known address as it appears in the records of the bureau or, in the absence of such mailing, within 30 days after the notification is delivered. If the employer fails to perfect this appeal, the assessment or determination is final as to law and fact.

B. Upon appeal from such assessment or determination the ~~commission~~ Division of Administrative Hearings shall, after affording the appellant and the commissioner's designated representative a reasonable opportunity for a fair hearing, make finding of facts and render its decision, which may affirm, modify or reverse the action of the designated representative. The conduct of the hearings ~~shall be is~~ governed by ~~regulations~~ rules of the commission consistent with Title 5, section 9051 et seq. The ~~commission~~ Division of Administrative Hearings shall promptly notify the parties to the proceeding of its finding of facts and its decision. The decision ~~shall be is~~ subject to appeal to the commission, which may affirm, modify or

reverse the decision of the Division of Administrative Hearings based on the evidence presented or may remand the case to the Division of Administrative Hearings for further hearing pursuant to the commission's rules. The decision of the commission is subject to appeal pursuant to Title 5, section 11001 et seq. The commissioner shall have the right to appeal a final decision of the ~~Maine Unemployment Insurance Commission~~ commission to the Superior Court.

**3. Conclusiveness of determination.** Any determination or decision duly made in proceedings under section 1082, subsection 14, or this subchapter, ~~which that~~ that has become final, ~~shall be~~ is binding in any proceedings relating to applications or requests for refunds or credit, insofar as such determination or decision necessarily involves the issue of whether an employing unit constitutes an employer or whether services performed for, or in connection with, the business of such employing unit constitute employment.

### PART BBBBB

**Sec. BBBBB-1. 26 MRSA §1166, sub-§3,** as enacted by PL 2007, c. 352, Pt. A, §1, is repealed.

### PART CCCCC

**Sec. CCCCC-1. 26 MRSA §1191, sub-§3,** as amended by PL 2009, c. 466, §1, is further amended to read:

**3. Weekly benefit for partial unemployment.** Each eligible individual who is partially unemployed in any week must be paid a partial benefit for that week. The partial benefit is equal to the weekly benefit amount less the individual's weekly earnings in excess of \$25, except that, beginning the first full benefit week beginning on or after January 1, 2018, the partial benefit is equal to the weekly benefit amount less the individual's weekly earnings in excess of \$100. The following amounts are not considered wages for purposes of this subsection:

- A. Amounts received from the Federal Government by a member of the National Guard and organized reserve, including base pay and allowances;
- B. Amounts received as a volunteer firefighter or as a volunteer emergency medical services person;
- C. Amounts received as an elected member of the Legislature; and
- D. Earnings for the week received as a result of participation in full-time training under the United States Trade Act of 1974 as amended by the United States Trade and Globalization Adjustment Assistance Act of 2009 up to an amount equal to the individual's most recent weekly benefit amount.

**Sec. CCCCC-2. 26 MRSA §1221, sub-§3,** ¶A, as amended by PL 2017, c. 117, §12, is further amended to read:

A. At the time the status of an employing unit is ascertained to be that of an employer, the commissioner shall establish and maintain, until the employer status is terminated, for the employer an experience rating record, to which are credited all the contributions that the employer pays on the employer's own behalf. This chapter may not be construed to grant any employer or individuals in the employer's service prior claims or rights to the amounts paid by the employer into the fund. Benefits paid to an eligible individual under the ~~Maine~~ Employment Security Law must be charged against the experience rating record of the claimant's most recent subject employer, except that, beginning January 1, 2018, benefits paid to an eligible individual under the Employment Security Law must be charged against the experience rating record of the claimant's employers in a ratio inversely proportional to the claimant's employment beginning with the most recent employer, or to the General Fund if the otherwise chargeable experience rating record is that of an employer whose status as such has been terminated; except that no charge may be made to an individual employer but must be made to the General Fund if the commission finds that:

- (1) The claimant's separation from the claimant's last employer was for misconduct in connection with the claimant's employment or was voluntary without good cause attributable to the employer;
- (2) The claimant has refused to accept reemployment in suitable work when offered by a previous employer, without good cause attributable to the employer;
- (3) Benefits paid are not chargeable against any employer's experience rating record in accordance with section 1194, subsection 11, paragraphs B and C;
- (5) Reimbursements are made to a state, the Virgin Islands or Canada for benefits paid to a claimant under a reciprocal benefits arrangement as authorized in section 1082, subsection 12, as long as the wages of the claimant transferred to the other state, the Virgin Islands or Canada under such an arrangement are less than the amount of wages for insured work required for benefit purposes by section 1192, subsection 5;
- (6) The claimant was hired by the claimant's last employer to fill a position left open by a Legislator given a leave of absence under chapter 7, subchapter 5-A, and the claimant's

separation from this employer was because the employer restored the Legislator to the position after the Legislator's leave of absence as required by chapter 7, subchapter 5-A;

(7) The claimant was hired by the claimant's last employer to fill a position left open by an individual who left to enter active duty in the United States military, and the claimant's separation from this employer was because the employer restored the military serviceperson to the person's former employment upon separation from military service;

(8) The claimant was hired by the claimant's last employer to fill a position left open by an individual given a leave of absence for family medical leave provided under Maine or federal law, and the claimant's separation from this employer was because the employer restored the individual to the position at the completion of the leave; or

(9) The claimant initiated a partial separation or reduction of hours and that partial separation or reduction of hours was agreed to by the employee and employer.

**Sec. CCCC-3. 26 MRSA §1221, sub-§3, ¶C-1**, as enacted by PL 2011, c. 499, §2 and affected by §4, is repealed.

**Sec. CCCC-4. 26 MRSA §1221, sub-§4, ¶B**, as amended by PL 1995, c. 220, §1, is further amended to read:

B. Subject to paragraph A, each employer's contribution rate for the 12-month period commencing January 1st of each year is based upon the employer's experience rating record and determined from the employer's reserve ratio, which is the percent obtained by dividing the amount by which, if any, the employer's contributions credited from the time the employer first or most recently became an employer, whichever date is later, and up to and including June 30th of the preceding year, including any part of the employer's contributions due for that year paid on or before July 31st of that year, exceed the employer's benefits charged during the same period, by the employer's average annual payroll for the 36-consecutive-month period ending June 30th of the preceding year. The employer's contribution rate is the percent shown on the line of the following table on which in column A there is indicated the employer's reserve ratio and under the schedule within which the reserve multiple falls as of September 30th of each year. The following table applies for each 12-month period commencing January 1st of each year as determined by paragraph C. ~~Notwithstanding any other provisions of~~

~~this paragraph, each employer's contribution rate computed and effective as of July 1, 1981, is for the 6-month period ending December 31, 1981.~~

EMPLOYER'S CONTRIBUTION RATE IN PERCENT OF WAGES

Employer		When Reserve Multiple is:								
Reserve Ratio		2.37-	2.23-	2.09-	1.95-	1.81-	1.67-	1.53-		
Equal to or more than	Less than	2.50	2.50	2.36	2.22	2.08	1.94	1.80	1.66	
Column A		Schedules								
		A	B	C	D	E	F	G	H	
19.0% and over		0.5%	0.6%	0.7%	0.8%	0.9%	1.0%	1.1%	1.2%	1.3%
18.0%	19.0%	0.6%	0.7%	0.8%	0.9%	1.0%	1.1%	1.2%	1.3%	1.4%
17.0%	18.0%	0.7%	0.8%	0.9%	1.0%	1.1%	1.2%	1.3%	1.4%	1.5%
16.0%	17.0%	0.8%	0.9%	1.0%	1.1%	1.2%	1.3%	1.4%	1.5%	1.6%
15.0%	16.0%	0.9%	1.0%	1.1%	1.2%	1.3%	1.4%	1.5%	1.6%	1.7%
14.0%	15.0%	1.0%	1.1%	1.2%	1.3%	1.4%	1.5%	1.6%	1.7%	1.8%
13.0%	14.0%	1.1%	1.2%	1.3%	1.4%	1.5%	1.6%	1.7%	1.8%	1.9%
12.0%	13.0%	1.2%	1.3%	1.4%	1.5%	1.6%	1.7%	1.8%	1.9%	2.0%
11.0%	12.0%	1.3%	1.4%	1.5%	1.6%	1.7%	1.8%	1.9%	2.0%	2.1%
10.0%	11.0%	1.4%	1.5%	1.6%	1.7%	1.8%	1.9%	2.0%	2.1%	2.2%
9.0%	10.0%	1.5%	1.6%	1.7%	1.8%	1.9%	2.0%	2.1%	2.2%	2.3%
8.0%	9.0%	1.6%	1.7%	1.8%	1.9%	2.0%	2.1%	2.2%	2.3%	2.4%
7.0%	8.0%	1.7%	1.8%	1.9%	2.0%	2.1%	2.2%	2.3%	2.4%	2.5%
6.0%	7.0%	1.8%	1.9%	2.0%	2.1%	2.2%	2.3%	2.4%	2.5%	2.6%
5.0%	6.0%	1.9%	2.0%	2.1%	2.2%	2.3%	2.4%	2.5%	2.6%	2.7%
4.0%	5.0%	2.0%	2.1%	2.2%	2.3%	2.4%	2.5%	2.6%	2.7%	2.8%
3.0%	4.0%	2.2%	2.3%	2.4%	2.5%	2.6%	2.7%	2.8%	2.9%	3.0%
2.0%	3.0%	2.4%	2.5%	2.6%	2.7%	2.8%	2.9%	3.0%	3.1%	3.2%
1.0%	2.0%	2.6%	2.7%	2.8%	2.9%	3.0%	3.1%	3.2%	3.3%	3.4%
.0%	1.0%	2.8%	2.9%	3.0%	3.1%	3.2%	3.3%	3.4%	3.5%	3.6%
-1.0%	.0%	3.0%	3.1%	3.2%	3.3%	3.4%	3.5%	3.6%	3.7%	3.8%
-2.0%	-1.0%	3.1%	3.2%	3.3%	3.4%	3.5%	3.6%	3.7%	3.8%	3.9%
-3.0%	-2.0%	3.2%	3.3%	3.4%	3.5%	3.6%	3.7%	3.8%	3.9%	4.0%
-4.0%	-3.0%	3.3%	3.4%	3.5%	3.6%	3.7%	3.8%	3.9%	4.0%	4.1%
-5.0%	-4.0%	3.4%	3.5%	3.6%	3.7%	3.8%	3.9%	4.0%	4.1%	4.2%
-6.0%	-5.0%	3.5%	3.6%	3.7%	3.8%	3.9%	4.0%	4.1%	4.2%	4.3%
-7.0%	-6.0%	3.6%	3.7%	3.8%	3.9%	4.0%	4.1%	4.2%	4.3%	4.4%
-8.0%	-7.0%	3.7%	3.8%	3.9%	4.0%	4.1%	4.2%	4.3%	4.4%	4.5%
-9.0%	-8.0%	3.8%	3.9%	4.0%	4.1%	4.2%	4.3%	4.4%	4.5%	4.6%
-10.0%	-9.0%	4.0%	4.1%	4.2%	4.3%	4.4%	4.5%	4.6%	4.7%	4.8%
-11.0%	-10.0%	4.2%	4.3%	4.4%	4.5%	4.6%	4.7%	4.8%	4.9%	5.0%
-12.0%	-11.0%	4.4%	4.5%	4.6%	4.7%	4.8%	4.9%	5.0%	5.1%	5.2%
under	-12.0%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%

EMPLOYER'S CONTRIBUTION RATE IN PERCENT OF WAGES

Employer		When Reserve Multiple is:									
Reserve Ratio		Schedules									
Equal	Less	1.39-	1.25-	1.11-	.97-	.83-	.68-	.45-	under		
to or	more	1.52	1.38	1.24	1.10	.96	.82	.67	.45		
than	than										
Column A		I	J	K	L	M	N	O	P		
19.0% and over		1.3%	1.4%	1.5%	1.6%	1.7%	1.8%	1.9%	2.4%		
18.0%	19.0%	1.4%	1.5%	1.6%	1.7%	1.8%	1.9%	2.0%	2.5%		
17.0%	18.0%	1.5%	1.6%	1.7%	1.8%	1.9%	2.0%	2.1%	2.6%		
16.0%	17.0%	1.6%	1.7%	1.8%	1.9%	2.0%	2.1%	2.2%	2.7%		
15.0%	16.0%	1.7%	1.8%	1.9%	2.0%	2.1%	2.2%	2.3%	2.8%		
14.0%	15.0%	1.8%	1.9%	2.0%	2.1%	2.2%	2.3%	2.4%	2.9%		
13.0%	14.0%	1.9%	2.0%	2.1%	2.2%	2.3%	2.4%	2.5%	3.0%		
12.0%	13.0%	2.0%	2.1%	2.2%	2.3%	2.4%	2.5%	2.6%	3.1%		
11.0%	12.0%	2.1%	2.2%	2.3%	2.4%	2.5%	2.6%	2.7%	3.2%		
10.0%	11.0%	2.2%	2.3%	2.4%	2.5%	2.5%	2.7%	2.8%	3.3%		
9.0%	10.0%	2.3%	2.4%	2.5%	2.6%	2.7%	2.8%	2.9%	3.4%		
8.0%	9.0%	2.4%	2.5%	2.6%	2.7%	2.8%	2.9%	3.0%	3.5%		
7.0%	8.0%	2.5%	2.6%	2.7%	2.8%	2.9%	3.0%	3.1%	3.6%		
6.0%	7.0%	2.6%	2.7%	2.8%	2.9%	3.0%	3.1%	3.2%	3.7%		
5.0%	6.0%	2.7%	2.8%	2.9%	3.0%	3.1%	3.2%	3.3%	3.8%		
4.0%	5.0%	2.8%	2.9%	3.0%	3.1%	3.2%	3.3%	3.4%	3.9%		
3.0%	4.0%	3.0%	3.1%	3.2%	3.3%	3.4%	3.5%	3.6%	4.1%		
2.0%	3.0%	3.2%	3.3%	3.4%	3.5%	3.6%	3.7%	3.8%	4.3%		
1.0%	2.0%	3.4%	3.5%	3.6%	3.7%	3.8%	3.9%	4.0%	4.5%		
.0%	1.0%	3.6%	3.7%	3.8%	3.9%	4.0%	4.1%	4.2%	4.7%		
-1.0%	.0%	3.8%	3.9%	4.0%	4.1%	4.2%	4.3%	4.4%	4.9%		
-2.0%	-1.0%	3.9%	4.0%	4.1%	4.2%	4.3%	4.4%	4.5%	5.0%		
-3.0%	-2.0%	4.0%	4.1%	4.2%	4.3%	4.4%	4.5%	4.6%	5.1%		
-4.0%	-3.0%	4.1%	4.2%	4.3%	4.4%	4.5%	4.6%	4.7%	5.2%		
-5.0%	-4.0%	4.2%	4.3%	4.4%	4.5%	4.6%	4.7%	4.8%	5.3%		
-6.0%	-5.0%	4.3%	4.4%	4.5%	4.6%	4.7%	4.8%	4.9%	5.4%		
-7.0%	-6.0%	4.4%	4.5%	4.6%	4.7%	4.8%	4.9%	5.0%	5.5%		
-8.0%	-7.0%	4.5%	4.6%	4.7%	4.8%	4.9%	5.0%	5.1%	5.6%		
-9.0%	-8.0%	4.6%	4.7%	4.8%	4.9%	5.0%	5.1%	5.2%	5.7%		
-10.0%	-9.0%	4.8%	4.9%	5.0%	5.1%	5.2%	5.3%	5.4%	5.9%		
-11.0%	-10.0%	5.0%	5.1%	5.2%	5.3%	5.4%	5.5%	5.6%	6.1%		
-12.0%	-11.0%	5.2%	5.3%	5.4%	5.5%	5.6%	5.7%	5.8%	6.3%		
under	-12.0%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%		

B. Subject to paragraph A, an employer's contribution rate for the 12-month period commencing January 1st of each year is based upon the employer's experience rating record and determined from the employer's reserve ratio. The employer's reserve ratio is the percent obtained by dividing the amount, if any, by which the employer's contributions, credited from the time the employer first or most recently became an employer, whichever date is later, up to and including June 30th of the preceding year, including any part of the employer's contributions due for that year paid on or before July 31st of that year, exceed the employer's benefits charged during the same period, by the employer's average annual payroll for the period of 36 consecutive months ending June 30th of the preceding year. The employer's contribution rate is determined under subparagraphs (1) to (8).

(1) The commissioner shall prepare a schedule listing all employers for whom a reserve ratio has been computed pursuant to this paragraph, in the order of their reserve ratios, beginning with the highest ratio. For each employer, the schedule must show:

- (a) The amount of the employer's reserve ratio;
- (b) The amount of the employer's annual taxable payroll; and
- (c) A cumulative total consisting of the amount of the employer's annual taxable payroll plus the amount of the annual taxable payrolls of all other employers preceding the employer on the list.

(2) The commissioner shall segregate employers into contribution categories in accordance with the cumulative totals under subparagraph (1), division (c). The contribution category is determined by the cumulative payroll percentage limits in column B. Each contribution category is identified by the contribution category number in column A that is opposite the figures in column B, which represent the percentage limits of each contribution category. If an employer's taxable payroll falls in more than one contribution category, the employer must be assigned to the lower-numbered contribution category, except that an employer may not be assigned to a higher contribution category than is assigned any other employer with the same reserve ratio.

Sec. CCCC-5. 26 MRSA §1221, sub-§4-A, ¶B, as amended by PL 2007, c. 352, Pt. A, §2, is further amended to read:

Contribution Category	B % of Taxable Payrolls		C Experience Factors	D Phase-in Experience Factors 2002 and 2003	E Phase-in Experience Factors 2000 and 2001
	From	To			
1	00.00	05.00	.30	.38750	.4750
2	05.01	10.00	.35	.43125	.5125
3	10.01	15.00	.40	.47500	.5500
4	15.01	20.00	.45	.51875	.5875
5	20.01	25.00	.50	.56250	.6250
6	25.01	30.00	.55	.60625	.6625
7	30.01	35.00	.60	.65000	.7000
8	35.01	40.00	.65	.69375	.7375
9	40.01	45.00	.70	.73750	.7750
10	45.01	50.00	.75	.78125	.8125
11	50.01	55.00	.80	.82500	.8500
12	55.01	60.00	.90	.91250	.9250
13	60.01	65.00	1.00	1.00000	1.0000
14	65.01	70.00	1.10	1.08750	1.0750
15	70.01	75.00	1.25	1.21875	1.1875
16	75.01	80.00	1.40	1.35000	1.3000
17	80.01	85.00	1.60	1.52500	1.4500
18	85.01	90.00	1.90	1.78750	1.6750
19	90.01	95.00	2.20	2.05000	1.9000
20	95.01	100.00	2.60	2.40000	2.2000

(3-A) Beginning January 1, 2008, the commissioner shall compute a reserve multiple to determine the schedule and planned yield in effect for a rate year. The reserve multiple is determined by dividing the fund reserve ratio by the average benefit cost rate. The determination date is October 31st of each calendar year. The schedule and planned yield that apply for the 12-month period commencing on January 1, 2008 and every January 1st thereafter are shown on the line of the following table that corresponds with the applicable reserve multiple in column A.

A Reserve Multiple	B Schedule	C Planned Yield
Over 1.58	A	0.6%
1.50 - 1.57	B	0.7%
1.42 - 1.49	C	0.8%
1.33 - 1.41	D	0.9%
1.25 - 1.32	E	1.0%
.50 - 1.24	F	1.1%

.25 - .49  
Under .25

G  
H

1.2%  
1.3%

(4) The commissioner shall compute the predetermined yield by multiplying the ratio of total wages to taxable wages for the preceding calendar year by the planned yield.

(5) The commissioner shall determine the contribution rates effective for a rate year by multiplying the predetermined yield by the experience factors for each contribution category. Contribution category 20 in the table in subparagraph (2) must be assigned a contribution rate of at least 5.4%. The employer's experience factor is the percentage shown in column C in the table in subparagraph (2) that corresponds with the employer's contribution category in column A, except that the experience factors in column E must be used to determine the contribution rates for rate years 2000 and 2001 and those in column D must be used for rate years 2002 and 2003. Beginning January 1, 2018, for rate years when schedule A is in effect as determined in subparagraph (3-A), the experience factor in subparagraph (2) for contribution category 1 is assigned an experience factor of 0.00 in column C.

(6) If, subsequent to the assignment of contribution rates for a rate year, the reserve ratio of an employer is recomputed and changed, the employer must be placed in the position on the schedule prepared pursuant to subparagraph (1) that the employer would have occupied had the corrected reserve ratio been shown on the schedule. The altered position on the schedule does not affect the position of any other employer.

(7) In computing the contribution rates, only the wages reported by employers liable for payment of contributions into the fund and net benefits paid that are charged to an employer's experience rating record or to the fund are considered in the computation of the average benefit cost rate and the ratio of total wages to taxable wages.

(8) Beginning January 1, 2008, all contribution rates must be reduced by the Competitive Skills Scholarship Fund predetermined yield as defined in section 1166, subsection 1, paragraph C, except that contribution category 20 under this paragraph may not be reduced below 5.4%.

**PART DDDDD**

**Sec. DDDDD-1. Commissioner of Labor; position review after reorganization.** The Commissioner of Labor shall recommend positions to be eliminated pursuant to reorganizations within the Employment Security Services program and the Employment Services Activity program and shall submit a report identifying the positions recommended to be eliminated to the joint standing committee of the Legislature having jurisdiction over labor matters by March 1, 2019. The joint standing committee of the Legislature having jurisdiction over labor matters may report out legislation to the First Regular Session of the 129th Legislature implementing the recommendations.

**PART EEEEE**

**Sec. EEEEE-1. 12 MRSA §6304-A** is enacted to read:

**§6304-A. Coastal Fisheries, Research Management and Opportunity Fund**

The Coastal Fisheries, Research Management and Opportunity Fund, referred to in this section as "the fund," is established within the department. For each license or permit issued under this Part, 30% of the fee charged must be deposited into the fund. The fund must be used to fund scientific research, management or enforcement activities related to marine resources. Unexpended balances in the fund at the end of a fiscal year do not lapse but must be carried forward to the next fiscal year. Any interest earned by the fund must be credited to the fund.

**Sec. EEEEE-2. 12 MRSA §6421, sub-§7-A,** as amended by PL 2009, c. 213, Pt. G, §2, is repealed.

**Sec. EEEEE-3. 12 MRSA §6421, sub-§§7-B and 7-C** are enacted to read:

**7-B. License fee.** The fee for a lobster and crab fishing license is:

- A. For a resident Class I license for applicants under 18 years of age, \$65;
- B. For a resident Class I license for applicants 18 years of age or older and under 70 years of age, \$125.75;
- C. For a resident Class I license for applicants 70 years of age or older, \$61;
- D. For a nonresident Class I license for applicants under 18 years of age, \$357;
- E. For a nonresident Class I license for applicants 18 years of age or older, \$730.75;
- F. For a resident Class II license for applicants under 70 years of age, \$252.50;
- G. For a nonresident Class II license, \$1,467.50;

H. For a resident Class II license for applicants 70 years of age or older, \$126;

I. For a resident Class III license for applicants under 70 years of age, \$377.25;

J. For a resident Class III license for applicants 70 years of age or older, \$183;

K. For a nonresident Class III license, \$2,189.25;

L. For a resident apprentice lobster and crab fishing license for applicants under 18 years of age, \$60;

M. For a resident apprentice lobster and crab fishing license for applicants 18 years of age or older, \$122;

N. For a nonresident apprentice lobster and crab fishing license for applicants under 18 years of age, \$357;

O. For a nonresident apprentice lobster and crab fishing license for applicants 18 years of age or older, \$725;

P. For a student lobster and crab fishing license, \$60;

Q. For a noncommercial lobster and crab fishing license, \$60; and

R. For a nonresident lobster and crab landing permit, \$590.25.

**7-C. License surcharge.** In addition to the license fee established in subsection 7-B, the commissioner shall assess a surcharge on each license issued under this section as follows:

A. For a resident Class I license for applicants under 18 years of age, resident Class I license for applicants 70 years of age or older, resident apprentice license for applicants under 18 years of age, resident apprentice license for applicants 70 years of age or older, student lobster and crab fishing license or noncommercial lobster and crab fishing license, \$5;

B. For a resident Class I license, resident Class II license for applicants 70 years of age or older or resident apprentice license for applicants 70 years of age or older, \$10;

C. For a resident Class II license or resident Class III license for applicants 70 years of age or older, \$20;

D. For a resident Class III license, nonresident Class I license for applicants under 18 years of age or a nonresident apprentice license for applicants under 18 years of age, \$30;

E. For a nonresident Class I license or nonresident apprentice license for applicants 18 years of age or older, \$60;

F. For a nonresident Class II license, \$120; and

G. For a nonresident Class III license, \$180.

The surcharge fees collected under this subsection must be deposited in the Lobster Fund established under section 6451.

**Sec. EEEEE-4. 12 MRSA §6421, sub-§8**, as amended by PL 2009, c. 213, Pt. G, §3, is repealed.

**Sec. EEEEE-5. 12 MRSA §6451, sub-§1**, as amended by PL 2009, c. 561, §18, is repealed.

**Sec. EEEEE-6. 12 MRSA §6451, sub-§1-A** is enacted to read:

**1-A. Lobster Fund established.** The Lobster Fund is established within the department. The Lobster Fund receives surcharge fees collected pursuant to section 6421, subsection 7-C. Funds deposited in the Lobster Fund must be used for the purposes of lobster biology research, propagation of lobsters by liberating seed lobsters and female lobsters in the State's coastal waters and establishing and supporting lobster hatcheries.

**Sec. EEEEE-7. 12 MRSA §6505-A, sub-§4**, as amended by PL 2017, c. 250, §7, is repealed.

**Sec. EEEEE-8. 12 MRSA §6505-A, sub-§§4-A and 4-B** are enacted to read:

**4-A. License fee.** Fees for elver fishing licenses are:

A. For a resident elver fishing license for one device, \$55;

B. For a resident elver fishing license for 2 devices, \$63;

C. For a nonresident elver fishing license for one device, \$392;

D. For a nonresident elver fishing license for 2 devices, \$400;

E. For a resident elver fishing license with crew for one device, \$105;

F. For a resident elver fishing license with crew for 2 devices, \$113;

G. For a nonresident elver fishing license with crew for one device, \$1,126; and

H. For a nonresident elver fishing license with crew for 2 devices, \$1,134.

**4-B. License surcharge.** In addition to the license fee established in subsection 4-A, the commissioner shall assess a surcharge on each license issued under this section as follows:

A. For an elver fishing license issued under subsection 4-A, paragraphs A to D, \$150; and

B. For an elver fishing license issued under subsection 4-A, paragraphs E to H, \$300.

The surcharge fees collected under this subsection must be deposited in the Eel and Elver Management Fund established under section 6505-D.

**Sec. EEEEE-9. 12 MRSA §6505-B, sub-§1, ¶A**, as amended by PL 2009, c. 213, Pt. G, §7, is further amended to read:

A. ~~Fifty-eight~~ Fifty 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. EEEEE-10. 12 MRSA §6505-B, sub-§3**, as amended by PL 2009, c. 213, Pt. G, §8, 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 ~~\$58~~ \$50 per dip net annually.

This subsection does not apply to a dip net a person utilizes pursuant to section 6505-A, subsection 5.

**Sec. EEEEE-11. 12 MRSA §6505-B, sub-§5**, as amended by PL 2009, c. 213, Pt. G, §9, is further amended to read:

**5. Disposition of 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. EEEEE-12. 12 MRSA §6505-C, sub-§4**, as amended by PL 2009, c. 213, Pt. G, §10, is further amended to read:

**4. License fees.** The fee for an eel harvesting license is ~~\$125~~ \$50.

**Sec. EEEEE-13. 12 MRSA §6505-C, sub-§4-A** is enacted to read:

**4-A. License surcharge.** In addition to the license fee established in subsection 4, the commissioner shall assess a \$75 surcharge on each license issued under this section. The surcharge fees collected under this subsection must be deposited in the Eel and Elver Management Fund established under section 6505-D.

**Sec. EEEEE-14. 12 MRSA §6601, sub-§5**, as amended by PL 2009, c. 213, Pt. G, §13, is further amended to read:

**5. License fee.** Except as provided in subsection 5-A, the fee for a commercial shellfish license is ~~\$133~~ \$58.25.

**Sec. EEEEE-15. 12 MRSA §6601, sub-§5-A,** as amended by PL 2015, c. 355, §1 and affected by §2, is further amended to read:

**5-A. Exception.** The fee for a commercial shellfish license for applicants 70 years of age or older and applicants under 18 years of age is \$67, which must be deposited in the Shellfish Fund established under section 6651.

**Sec. EEEEE-16. 12 MRSA §6651, sub-§1,** as amended by PL 2011, c. 598, §§28 and 29, is further amended to read:

**1. Surcharge fees to be paid into fund.** Fees ~~from~~ In addition to the applicable license fees for shellfish licenses, mussel hand-raking and boat licenses, shellfish transportation licenses and wholesale seafood licenses, the commissioner shall assess the following surcharge fees, which must be paid deposited into the Shellfish Fund as follows:

- A. Seventy-four dollars and seventy-five cents ~~from~~ for a commercial shellfish license;
- B. One hundred forty-nine dollars and fifty cents ~~from~~ for a mussel boat license;
- C. Seventy-four dollars and seventy-five cents ~~from~~ for a mussel hand-raking license;
- D. Two hundred ninety-nine dollars ~~from~~ for a shellfish transportation license;
- E. Ninety-seven dollars and fifty cents ~~from~~ for a shellfish transportation supplemental license;
- F. Two hundred fifty dollars and twenty-five cents ~~from~~ for a wholesale seafood license;
- G. Forty-eight dollars and seventy-five cents ~~from~~ for a wholesale seafood supplemental license; and
- H. Twenty-eight dollars ~~from~~ for an enhanced retail certificate.

The Shellfish Fund may receive any other money, including any other gift, grant or other source of revenue.

**Sec. EEEEE-17. 12 MRSA §6745, sub-§5,** as amended by PL 2009, c. 213, Pt. G, §21, is further amended to read:

**5. License fee.** The fee for a hand-raking mussel license is ~~\$133~~ \$58.25.

**Sec. EEEEE-18. 12 MRSA §6746, sub-§5,** as amended by PL 2009, c. 213, Pt. G, §22, is further amended to read:

**5. License fee.** The fee for a mussel boat license is ~~\$265~~ \$115.50.

**Sec. EEEEE-19. 12 MRSA §6751, sub-§4,** as amended by PL 2009, c. 213, Pt. G, §26, is further amended to read:

**4. License fee.** The fee for a marine worm digger's license is ~~\$50~~ \$7.

**Sec. EEEEE-20. 12 MRSA §6791, sub-§1,** as amended by PL 2009, c. 213, Pt. G, §27, is further amended to read:

**1. Surcharge fees to be paid into fund.** ~~Revenues from marine worm licenses must be paid~~ In addition to the applicable license fees for marine worm digger's licenses, marine worm dealer's licenses and supplemental marine worm dealer's licenses, the commissioner shall assess the following surcharge fees, which must be deposited into the Marine Worm Fund as follows:

- A. Forty-three dollars ~~from~~ for a marine worm digger's license;
- B. Fifty-five dollars ~~from~~ for a marine worm dealer's license; and
- C. Twenty-two dollars ~~from~~ for a supplemental marine worm dealer's license.

The fund must be maintained by the commissioner.

**Sec. EEEEE-21. 12 MRSA §6803, sub-§3,** as amended by PL 2009, c. 213, Pt. G, §29, is repealed and the following enacted in its place:

**3. Permit fees.** The fees for seaweed permits are as follows:

- A. For a resident seaweed permit, \$8;
- B. For a nonresident seaweed permit, \$30;
- C. For a resident supplemental seaweed permit, \$4; and
- D. For a nonresident supplemental seaweed permit, \$8.

**Sec. EEEEE-22. 12 MRSA §6803, sub-§4,** as amended by PL 2009, c. 213, Pt. G, §30, is further amended to read:

**4. Surcharge fees.** ~~Fees collected under this section accrue to~~ In addition to the permit fees established in subsection 3, the commissioner shall assess a surcharge on each permit issued under this section as follows, which must be deposited in 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. EEEEE-23. 12 MRSA §6808, sub-§4,** as amended by PL 2013, c. 492, §9, is repealed.

**Sec. EEEEE-24. 12 MRSA §6808, sub-§6,** as amended by PL 2013, c. 492, §10, is further amended to read:

**6. License fees.** The fee for a commercial green crab only license is ~~\$10~~ \$2 for a resident license and ~~\$20~~ \$4 for a nonresident license, which authorizes the license holder to engage in the licensed activities under subsection 2.

**Sec. EEEEE-25. 12 MRSA §6808, sub-§7,** as amended by PL 2013, c. 492, §11, is further amended to read:

**7. Surcharge fees.** ~~Fees for commercial green crab only licenses~~ In addition to the license fees established in subsection 6, the commissioner shall assess a surcharge on each license issued under this section as follows, which must be deposited in the Green Crab Management Fund established in section 6809 as follows:

- A. Eight dollars for a resident commercial green crab only license; and
- B. Sixteen dollars for a nonresident commercial green crab only license.

**Sec. EEEEE-26. 12 MRSA §6851, sub-§6,** ~~¶¶A and B,~~ as amended by PL 2009, c. 213, Pt. G, §36, are further amended to read:

- A. ~~Four hundred forty three dollars for~~ For a wholesale seafood license or a wholesale seafood license with a lobster permit, sea urchin buyer's permit, shrimp permit or sea urchin processor's permit, \$192.75; and
- B. ~~Eighty seven dollars for~~ For each supplemental license, \$38.25.

**Sec. EEEEE-27. 12 MRSA §6853, sub-§6,** as amended by PL 2009, c. 213, Pt. G, §39, is further amended to read:

**6. License fee.** The fee for a marine worm dealer's license is ~~\$64~~ \$9 and the fee for a supplemental license is ~~\$26~~ \$4.

**Sec. EEEEE-28. 12 MRSA §6855, sub-§6,** as amended by PL 2009, c. 213, Pt. G, §41, is further amended to read:

**6. Fees.** The fee for a shellfish transportation license is ~~\$529~~ \$230 and the fee for a supplemental license is ~~\$173~~ \$75.50.

**Sec. EEEEE-29. 12 MRSA §6864, sub-§4,** as amended by PL 2009, c. 213, Pt. G, §44, is further amended to read:

**4. Fee.** The fee for an elver dealer's license is ~~\$1,213~~ \$376 and the fee for each supplemental license is ~~\$63~~ \$52.

**Sec. EEEEE-30. 12 MRSA §6864, sub-§5,** as amended by PL 2009, c. 213, Pt. G, §45, is repealed and the following enacted in its place:

**5. Surcharge fees.** In addition to the license fees established in subsection 4, the commissioner shall assess a surcharge on each license issued under this section, which must be deposited in the Eel and Elver Management Fund established under section 6505-D, as follows:

- A. For an elver dealer's license, \$837; and
- B. For a supplemental elver dealer's license, \$11.

**Sec. EEEEE-31. Effective date.** Those sections of this Part that repeal the Maine Revised Statutes, Title 12, section 6505-A, subsection 4 and enact Title 12, section 6505-A, subsections 4-A and 4-B take effect January 1, 2018.

## PART FFFFF

**Sec. FFFFF-1. Rename Board of Registration for Professional Engineers program.** Notwithstanding any other provision of law, the Board of Registration for Professional Engineers program within the Department of Professional and Financial Regulation is renamed the State Board of Licensure for Professional Engineers program.

## PART GGGGG

This Part left blank intentionally.

## PART HHHHH

This Part left blank intentionally.

## PART IIIII

**Sec. IIIII-1. 8 MRSA §1003, sub-§5** is enacted to read:

**5. Additional duties of the director.** The director also serves as the director of the Gambling Control Unit, established as a bureau within the Department of Public Safety under Title 25, section 2902, subsection 12. As director of the unit, the director shall administer and enforce the laws governing beano and games of chance under Title 17, chapters 13-A and 62, respectively.

## PART JJJJJ

**Sec. JJJJJ-1. 17 MRSA §311,** as amended by PL 2001, c. 342, §1, is further amended to read:

### §311. Definitions

As used in this chapter, unless the context otherwise indicates, the following words ~~shall~~ have the following meanings.

**1. Beano.** "Beano" means a specific kind of group game of chance, regardless of whether such a game is characterized by another name. Wherever the term "beano" is used, the word "bingo" or any other

word used to characterize such a game may be interchanged. In "beano," each participant is given or sold one or more tally cards, so-called, each of which contains preprinted numbers or letters and may or may not be arranged in vertical or horizontal rows. The participant covers or marks the numbers or letters as objects similarly numbered or lettered are drawn from a receptacle and the winner or winners are determined by the sequence in which those objects are drawn. The manner in which the winner is determined must be clearly announced or displayed before any game is begun. ~~Until July 1, 1994, a game described in this subsection is "beano" and a licensee may conduct such a game regardless of whether the manner of determining the winner is specifically described as a permissible manner of determining the winner in rules adopted by the Chief of State Police. For the purposes of this chapter, to hold, conduct or operate beano includes charging a fee or offering something of value to play in exchange for the opportunity to receive something of value for winning a game.~~

**1-A. Commercial beano hall permit.** "Commercial beano hall permit" means written authority from the ~~Chief of the State Police Gambling Control Unit~~ issued to a permittee who rents or leases premises for profit to a licensee to hold, conduct or operate "beano."

**1-B. Chief of State Police.** "Chief of the State Police" or "chief" means the Chief of the State Police or the chief's designee.

**2. Equipment.** "Equipment" ~~shall mean~~ means the receptacle and numbered objects to be drawn from it; the master board upon which such objects are placed as drawn; the tally cards or sheets bearing such numbers to be covered and the objects used to cover them; the boards or signs, however operated, used to display the numbers as they are drawn; public address systems; and any other articles essential to the operation, conduct and playing of "Beano."

**2-A. Director.** "Director" means the Executive Director of the Gambling Control Board and the Gambling Control Unit.

**2-B. Gambling Control Unit.** "Gambling Control Unit" or "unit" means the bureau within the Department of Public Safety under Title 25, section 2902, subsection 12 or an authorized representative of the Gambling Control Unit.

**3. License.** "License" ~~shall mean that means~~ written authority from the ~~Chief of the State Police Gambling Control Unit~~ to hold, conduct or operate the ~~amusement commonly known as "Beano" for the entertainment of the public within the State of Maine.~~ A location permit must accompany the license to be valid.

**4. Licensee.** "Licensee" ~~shall mean~~ means any organization ~~which,~~ including a federally recognized

Indian tribe in the State, that has been granted a license by the Chief of the State Police Gambling Control Unit to hold, conduct or operate "Beano" or "Bingo."

**5. Location permit.** "Location permit" ~~shall mean~~ means that card issued by the ~~Chief of the State Police Gambling Control Unit~~, describing the premises or area in which "Beano" may be conducted. Such location permit must be accompanied by a license. Only such locations expressly described in the location permit ~~shall be~~ are used for the conduct of any game.

**6. Organization.** "Organization" ~~shall mean~~ means any firm, association or corporation authorized to conduct "Beano" in accordance with this chapter.

**7. Period.** "Period" ~~shall mean~~ means the number of calendar weeks authorized by a single license for the operation of "Beano" or "Bingo."

**7-A. Permittee.** "Permittee" means an individual, corporation, partnership or unincorporated association that rents or leases a building or facilities for profit to a licensee to hold, conduct or operate "beano."

~~**7-B. Wild number beano.** "Wild number beano" means a beano occasion, game or series of beano games in which a number is picked or denoted as a wild number that may be used to fill any number or letter on a beano card.~~

~~**8. Winner take all round.** "Winner take all round" means a beano game or series of beano games in which all the proceeds from the sale of the cards for that round are paid to participants as prizes during that round.~~

**9. Registrant.** "Registrant" means a person or organization registered with the Gambling Control Unit to hold, conduct or operate beano games for which a license is not required.

**Sec. JJJJJ-2. 17 MRSA §312, sub-§1,** as enacted by PL 2003, c. 452, Pt. I, §2 and affected by Pt. X, §2, is amended to read:

**1. License or registration required; restricted hours.** A person, firm, association or corporation may not hold, conduct or operate the ~~amusement commonly known as "beano" or "bingo" for the entertainment of the public~~ within the State unless that person, firm, association or corporation has ~~obtained a license from~~ submitted a registration that was subsequently accepted by the ~~Chief of the State Police Gambling Control Unit.~~ A person may not conduct high-stakes beano under section 314-A without a license issued by the Gambling Control Unit. A registration or license to conduct beano under this chapter may not be assigned or transferred.

**Sec. JJJJJ-3. 17 MRSA §312, sub-§3**, as enacted by PL 2003, c. 452, Pt. I, §2 and affected by Pt. X, §2, is repealed.

**Sec. JJJJJ-4. 17 MRSA §313**, as enacted by PL 1975, c. 307, §2, is amended to read:

**§313. Registration**

~~Any~~ Except for high-stakes beano under section 314-A, and except as provided in section 313-D, a person or organization ~~desiring that wishes to~~ conduct such an amusement beano shall apply to register with the Chief of the State Police for a license ~~Gambling Control Unit~~ pursuant to the provisions set forth in this section. The ~~application shall~~ registration must be on forms provided as determined by the Chief of the State Police, ~~shall~~ director. A registration must be signed by the person or a duly authorized officer of the organization to be licensed ~~registered, shall~~ must contain the full name and address of the person or organization and the location where it is ~~desired to will~~ conduct the amusement beano and shall ~~must~~ bear the consent of the municipal officers of the town or city in which it is proposed to operate such amusement beano.

**Sec. JJJJJ-5. 17 MRSA §313-A**, as amended by PL 1989, c. 825, §1, is repealed.

**Sec. JJJJJ-6. 17 MRSA §313-B**, as enacted by PL 2017, c. 47, §1, is repealed.

**Sec. JJJJJ-7. 17 MRSA §§313-C, 313-D and 313-E** are enacted to read:

**§313-C. Organizations eligible for registration; fees**

**1. Registration eligibility.** The Gambling Control Unit may accept registrations from the following organizations to conduct beano to be conducted by duly authorized members for the exclusive benefit of the organization:

- A. A volunteer fire department;
- B. An agricultural fair association;
- C. A bona fide nonprofit, charitable, educational, political, civic, recreational, fraternal, patriotic, religious or veterans organization that has been in existence and founded, chartered or organized in the State for at least 2 years prior to its registration; and
- D. An auxiliary organization associated with an organization, department or association described in this subsection that has been in existence for at least 2 years prior to submitting a registration to conduct beano to the Gambling Control Unit.

The Gambling Control Unit may accept a registration submitted by an organization described in paragraph C that has been in existence for less than 2 years in the State if the organization has a charter from a national organization.

**2. Fees.** Registration fees to conduct beano are as follows.

- A. For up to a calendar week, the fee is \$12.
- B. For up to a calendar month, the fee is \$36.
- C. For up to a calendar year, the fee is \$400.
- D. The fee for a single game is \$5. An organization is limited to 6 single-game registrations in a calendar year.

Registration fees required by this subsection must accompany a registration submitted to the Gambling Control Unit and must be credited to the General Fund.

**§313-D. Registration exceptions**

Notwithstanding section 312, subsection 1 and section 313-E, and subject to the conditions set out in this section, the following organizations may conduct beano without a license or without registering with the Gambling Control Unit.

**1. Senior organizations.** Clubs, groups or organizations composed of individuals at least 90% of whom are 62 years of age or older when beano is conducted for their own entertainment and not for profit.

**2. Campgrounds.** A campground licensed under Title 22, section 2492 or a campground operated by the State Government or the Federal Government when:

- A. Beano is offered exclusively to campground patrons and guests of campground patrons;
- B. A prize awarded to a winner of a beano game does not exceed a value of \$25 for any one game; and
- C. Proceeds from fees charged to campground patrons and their guests to participate in a beano game are used only to pay for prizes awarded to players and to cover the actual costs incurred to operate the games.

**3. Resort hotels.** A bona fide resort hotel, which includes a full-service hotel facility and offers leisure and recreational activities to its patrons, such as tennis, golf or horseback riding, when:

- A. Beano is offered exclusively to resort hotel patrons and their guests;
- B. A prize awarded to a winner of a beano game does not exceed a value of \$25 for any one game; and
- C. Proceeds from fees charged to resort hotel patrons and their guests to participate in a beano game are used only to pay for prizes awarded to players and to cover the actual costs incurred to operate the games.

**4. Schools.** A school for children in kindergarten to grade 8 when:

A. Games are offered exclusively to students and faculty of the school and their families;

B. A prize awarded to a winner of a beano game does not exceed a value of \$25 for any one game; and

C. Proceeds from fees charged to participate in a beano game are used only to pay for prizes awarded to players, to support a parent-teacher organization associated with the school and to cover the actual costs incurred to operate the games.

Notwithstanding section 319, persons under the age of 16 may take part in a game of beano conducted under subsection 2, 3 or 4.

#### **§313-E. Prize limits**

A single prize awarded for a game of beano may not exceed \$400 in value and the total amount of prizes awarded on any one occasion may not exceed \$1,400 in value except that once per calendar year on one occasion a registrant may award up to \$2,000 in total prizes. This section does not apply to high-stakes beano conducted in accordance with section 314-A.

**Sec. JJJJJ-8. 17 MRSA §314,** as amended by PL 2013, c. 305, §1, is repealed.

**Sec. JJJJJ-9. 17 MRSA §314-A, sub-§1,** as amended by PL 2009, c. 487, Pt. B, §6, is further amended to read:

**1. Eligible organizations.** ~~The Chief of the State Police~~ Gambling Control Unit may issue licenses a license to operate high-stakes beano or high-stakes bingo to a federally recognized Indian tribe upon receipt of an application submitted in a manner prescribed by the director.

A. The ~~Chief of the State Police~~ Gambling Control Unit may also issue, to a federally recognized Indian tribe, licenses to sell lucky seven or other similar sealed tickets in accordance with section 324-A.

B. In conjunction with the operation of high-stakes beano, federally recognized Indian tribes holding a license under this section may advertise and offer prizes for attendance with a value of up to \$25,000 under the terms prescribed for raffles in section 1837. Any prize awarded under this paragraph may be awarded only on the basis of a ticket of admission to the high-stakes beano game and may only be awarded to a person who holds an admission ticket.

The ~~Chief of the State Police~~ Gambling Control Unit may not issue more than one license under this section

to a federally recognized Indian tribe for the same period.

**Sec. JJJJJ-10. 17 MRSA §314-A, sub-§1-A,** as amended by PL 2009, c. 505, §1, is further amended to read:

**1-A. Sealed tickets.** ~~The Chief of the State Police~~ Gambling Control Unit may also issue to any accept a registration from a federally recognized Indian tribe ~~licenses~~ licensed under this section to sell lucky seven or other similar sealed tickets in accordance with section 324-A. The licensee may operate a dispenser to sell the lucky seven or other similar tickets. As used in this subsection, "dispenser" means a mechanical or electrical device or machine that, upon the insertion of money, credit or something of value, dispenses printed lucky seven or other similar tickets. The element of chance must be provided by the ticket itself, not by the dispenser. ~~The Chief of the State Police~~ Gambling Control Unit may adopt rules to facilitate the use of dispensers. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. JJJJJ-11. 17 MRSA §314-A, sub-§3,** as repealed and replaced by PL 1991, c. 426, §4, is amended to read:

**3. Twenty-seven weekends per year.** An organization licensed under this section may operate high-stakes beano games on 27 weekends per year, whether or not consecutive. For purposes of this section, a weekend consists of Saturday and the immediately following Sunday. A high-stakes beano game licensed under this section and canceled for any reason may be rescheduled at any time, as long as 5 days prior notice of the new date is given to the ~~Chief of the State Police~~ Gambling Control Unit.

**Sec. JJJJJ-12. 17 MRSA §314-A, sub-§3-B,** as corrected by RR 2015, c. 1, §10, is amended to read:

**3-B. Games up to 100 days per year.** An organization licensed under this section other than the Penobscot Nation, the Houlton Band of Maliseet Indians and the Aroostook Band of Micmacs may operate high-stakes beano games up to 100 days per year. A high-stakes beano game licensed under this section and canceled for any reason may be rescheduled at any time, as long as 5 days' prior notice of the new date is given to the ~~Chief of the State Police~~ Gambling Control Unit.

**Sec. JJJJJ-13. 17 MRSA §314-A, sub-§8,** as enacted by PL 1991, c. 426, §6, is amended to read:

**8. Report.** Beginning January 15, 1992, any A federally recognized Indian tribe licensed to conduct high-stakes beano under this section ~~must~~ shall submit a quarterly report on the operation of high-stakes beano to the joint standing committee of the Legisla-

ture having jurisdiction over legal affairs matters. The report must include information on the number of persons playing high-stakes beano during the preceding calendar quarter, the funds collected for high-stakes beano, the total amount awarded in prizes, including prizes for attendance and any other information provided to the ~~Bureau of State Police~~ Gambling Control Unit regarding the operation of high-stakes beano.

**Sec. JJJJJ-14. 17 MRSA §314-B**, as enacted by PL 1987, c. 197, §4, is repealed.

**Sec. JJJJJ-15. 17 MRSA §314-C**, as enacted by PL 1999, c. 419, §2, is repealed.

**Sec. JJJJJ-16. 17 MRSA §315**, as repealed and replaced by PL 2011, c. 339, §1, is repealed.

**Sec. JJJJJ-17. 17 MRSA §315-A**, as enacted by PL 2013, c. 305, §2, is amended to read:

**§315-A. Limited dual beano registration**

The ~~Chief of the State Police~~ Gambling Control Unit may issue a limited dual beano ~~license registration~~ to 2 organizations eligible for a regular ~~license registration~~ to conduct a game of beano. A limited dual beano ~~license registration~~ permits 2 organizations to conduct beano jointly on the same date and at the same location. An organization may only conduct beano under the authority of a dual ~~license registration~~ on 2 occasions during a calendar year. The following provisions apply to ~~license registration~~ under this section.

**1. Application.** The 2 organizations wishing to conduct beano jointly shall submit an application to the ~~Chief of the State Police~~ Gambling Control Unit in a manner prescribed by the ~~chief unit~~.

**2. Lead registrant.** One organization must be identified as the lead ~~applicant registrant~~ and acknowledge responsibility for any violation of the laws or rules governing beano committed during the conduct of the game.

**3. Disposition of revenue.** Revenue received from the conduct of the game must be divided in equal amounts between both organizations. Each organization shall file a disposition of funds report as if that organization had conducted beano independently.

**4. Registration fee.** The ~~license registration~~ fee for a limited dual beano license is \$12.

**5. Sealed tickets.** A limited dual beano ~~license registration~~ does not authorize the ~~licensed registered~~ organizations to sell sealed tickets jointly.

**6. Application of other laws.** Unless otherwise provided by this section, the provisions of this chapter and rules adopted in accordance with this chapter apply to beano games conducted under a limited dual beano ~~license registration~~.

**Sec. JJJJJ-18. 17 MRSA §316**, as amended by PL 2001, c. 538, §1, is further amended to read:

**§316. Evidence**

The ~~Chief of the State Police~~ Gambling Control Unit may require such evidence as the ~~chief unit~~ may determine necessary to satisfy the ~~chief unit~~ that an applicant or organization licensed or registered to conduct beano conforms to the restrictions and other provisions of this chapter. Charters, organizational papers, bylaws or other such written orders of founding that outline or otherwise explain the purpose for which organizations were founded must, upon request, be forwarded to the ~~Chief of the State Police~~ Gambling Control Unit. The ~~Chief of the State Police~~ Gambling Control Unit may require such evidence as the ~~chief unit~~ may determine necessary regarding the conduct of beano by a licensee or registrant to determine compliance with this chapter.

**Sec. JJJJJ-19. 17 MRSA §317, first ¶**, as amended by PL 2011, c. 301, §1, is further amended to read:

The ~~Chief of the State Police~~ Gambling Control Unit may adopt rules, not inconsistent with law, that are necessary for the administration and enforcement of this chapter and for the licensing, registration, conduct and operation of ~~the amusement commonly known as "Beano" or "Bingo" and for the permitting and operation of commercial beano halls.~~ The ~~Chief of the State Police~~ Gambling Control Unit may regulate, supervise and exercise general control over the operation of ~~such amusement beano and commercial beano halls, including, but not limited to, the payment of prizes and the use of equipment. Any rule adopted by the Chief of the State Police concerning the value of prizes that may be awarded must include a provision that no single prize may exceed \$400 in value and that no more than \$1,400 in total prizes may be awarded on any one occasion except that once per calendar year on one occasion a licensee may award up to \$2,000 in total prizes.~~ In establishing such rules, which are routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A, the ~~Chief of the State Police~~ Gambling Control Unit must, in addition to the standards set forth in other provisions of this chapter, use the following standards setting forth conduct, conditions and activity considered undesirable:

**Sec. JJJJJ-20. 17 MRSA §317-A**, as amended by PL 2001, c. 342, §2, is further amended to read:

**§317-A. Investigations; actions on licenses and registrations**

**1. Gambling Control Unit.** The ~~Chief of the State Police~~ Gambling Control Unit may:

A. Investigate all aspects of this chapter including the direct and indirect ownership or control of any

licenses, registrations or commercial beano hall permits;

B. Suspend, revoke or refuse to issue a license or registration, after notice of the opportunity for a hearing, if the applicant, applicant's agent or employee, licensee, registrant or the licensee's or registrant's agent or employee violates a provision of this chapter or Title 17-A, chapter 39 or fails to meet the statutory requirements for licensure or registration pursuant to this chapter;

C. Immediately suspend or revoke a license or registration if there is probable cause to believe that the licensee or the licensee's agent or employee or the registrant or the registrant's agent or employee violated a provision of Title 17-A, chapter 39;

D. Suspend or revoke a commercial beano hall permit, after notice of the opportunity for hearing, if a permittee or permittee's employee commits murder or a Class A, B or C crime or violates a provision of this chapter or Title 17-A, chapter 15, 29, 37 or 39;

E. Immediately suspend or revoke a commercial beano hall permit if there is probable cause to believe that the permittee or the permittee's employee committed murder or a Class A, B or C crime or violated a provision of Title 17-A, chapter 15, 29, 37 or 39; and

F. Issue a subpoena in the name of the ~~State Police~~ Gambling Control Unit in accordance with Title 5, section 9060, except that this authority applies to any stage of an investigation under this chapter and is not limited to an adjudicatory hearing. This authority may not be used in the absence of reasonable cause to believe a violation has occurred. If a witness refuses to obey a subpoena or to give any evidence relevant to proper inquiry by the ~~chief unit~~, the Attorney General may petition the Superior Court in the county where the refusal occurred to find the witness in contempt. The Attorney General shall cause to be served on that witness an order requiring the witness to appear before the Superior Court to show cause why the witness should not be adjudged in contempt. The court shall, in a summary manner, hear the evidence and, if it is such as to warrant the court in doing so, punish that witness in the same manner and to the same extent as for contempt committed before the Superior Court or with reference to the process of the Superior Court.

**2. Action after notice and opportunity for hearing.** The ~~Chief of the State Police~~ Gambling Control Unit shall notify the applicant, licensee, registrant or permittee in writing, before a license, registration or permit is denied, suspended or revoked pursuant to subsection 1, paragraph B or D, of the intended denial or commencement date of the suspension or revocation, which may not be made any sooner than 96 hours after the licensee's, registrant's or permittee's receipt of the notice, of the duration of the suspension or revocation and of the right to a hearing pursuant to this subsection. The applicant, licensee, registrant or permittee has the right to request a hearing before the Commissioner of Public Safety or the commissioner's designee. Upon the applicant's, licensee's, registrant's or permittee's request for a hearing, the Commissioner of Public Safety shall provide a hearing. The hearing must comply with the Maine Administrative Procedure Act. The purpose of the hearing is to determine whether a preponderance of the evidence establishes that the applicant, applicant's agent or employee, licensee or licensee's agent or employee or registrant or registrant's agent or employee violated a provision of this chapter or Title 17-A, chapter 15, 29, 37 or 39. A request for a hearing may not be made any later than 10 days after the applicant, licensee, registrant or permittee is notified of the proposed denial, suspension or revocation. The suspension or revocation action must be stayed pending the hearing; the hearing may not be held any later than 30 days after the date the ~~commissioner~~ director receives the request unless otherwise agreed by the parties or continued upon request of a party for cause shown.

**3. Immediate suspension or revocation.** A licensee whose license or permittee whose permit is immediately suspended or revoked by the ~~Chief of the State Police~~ Gambling Control Unit pursuant to subsection 1, paragraph C or E must be notified in writing of the duration of the suspension or revocation and the licensee's or the permittee's right to request a hearing before the Commissioner of Public Safety or the commissioner's designee. Upon the licensee's or permittee's request for a hearing, the Commissioner of Public Safety shall provide a hearing. The hearing must comply with the Maine Administrative Procedure Act. The purpose of the hearing is to determine whether a preponderance of the evidence establishes that the licensee or the licensee's agent or employee or registrant or registrant's agent or employee violated a provision of Title 17-A, chapter 39 or the permittee or the permittee's employee committed murder or a Class A, B or C crime or violated a provision of Title 17-A, chapter 15, 29, 37 or 39. A request for a hearing may not be made any later than 48 hours after the licensee or permittee is notified of the suspension or revocation. A hearing may not be held any later than 10 days after the date the commissioner receives the request.

**Sec. JJJJJ-21. 17 MRSA §319**, as enacted by PL 1975, c. 307, §2, is repealed and the following enacted in its place:

**§319. Persons under 16 years of age**

Persons under 16 years of age are not permitted to take part in the conduct of, nor participate in, the game of "beano" or "bingo," nor may persons under 16 years of age be admitted to the playing area unless accompanied by a parent, guardian or other responsible person.

"Beano" or "bingo" games licensed or registered under this chapter may not be conducted unless some person at least 18 years of age, who has been a member in good standing of the licensee or registrant for at least 2 years, exercises exclusive control of each game played.

A license or registration for the conduct of "beano" or "bingo" may not be issued to any firm, association, corporation or group composed wholly or primarily of persons under 16 years of age.

**Sec. JJJJJ-22. 17 MRSA §320, sub-§§1 and 2,** as enacted by PL 2003, c. 452, Pt. I, §8 and affected by Pt. X, §2, are amended to read:

**1. Liquor prohibited.** A licensee or registrant may not conduct "beano" or "bingo" in the same room where liquor is sold, served or consumed during the period of one hour before the conduct of the games.

**2. Disorderly persons prohibited.** A licensee or registrant may not permit a disorderly person to enter or remain within the room or area where "beano" or "bingo" games are being conducted.

**Sec. JJJJJ-23. 17 MRSA §322,** as amended by PL 1999, c. 74, §4, is further amended to read:

**§322. Reports**

The Chief of the State Police Gambling Control Unit shall require from any organization licensed or registered to operate "Beano" or "Bingo" and any individual, corporation, partnership or unincorporated association that has a permit to operate a commercial beano hall whatever reports the chief unit determines necessary for the purpose of the administration and enforcement of this chapter.

**Sec. JJJJJ-24. 17 MRSA §323,** as amended by PL 1999, c. 74, §5, is further amended to read:

**§323. Access to premises**

An organization making application or submitting a registration to the Chief of the State Police Gambling Control Unit to conduct or operate "Beano" or "Bingo," an organization licensed under this chapter to operate "Beano" or "Bingo," a commercial beano hall permit applicant or a commercial beano hall permittee shall permit inspection of any equipment, prizes, records or items and materials used or to be used in the conduct or operation of "Beano" or "Bingo" by the Chief of the State Police Gambling Control Unit or the chief's unit's authorized representative.

The licensee, registrant or permittee shall permit at any time an inspector from the Department of Public Safety or the city or town fire inspectors of the municipality in which "Beano" is being conducted to enter and inspect the premises.

**Sec. JJJJJ-25. 17 MRSA §324-A, sub-§2, ¶C,** as amended by PL 2007, c. 110, §1, is further amended to read:

C. Lucky seven or similar sealed tickets may be sold when that game of chance is licensed by registered with the ~~Chief of the State Police Gambling Control Unit~~ and when a valid license or registration certificate is properly displayed. Notwithstanding the other provisions of this section and section 312, lucky seven games may be conducted during the period beginning 2 hours before and ending 2 hours after a "beano" game.

Notwithstanding any other rule, lucky seven or other similar sealed tickets may be sold that have a sale value of \$1 or less, and a person who sells or distributes "beano" cards or materials used to play "beano" prior to the conduct of "beano" as a volunteer, as provided in this section, is permitted to play in the "beano" game.

**Sec. JJJJJ-26. 17 MRSA §325,** as repealed and replaced by PL 2003, c. 452, Pt. I, §11 and affected by Pt. X, §2, is amended to read:

**§325. Penalties**

**1. Violation of chapter or rules; general penalty.** Except as otherwise specifically provided, a person, firm, association or corporation that violates a provision of this chapter or a rule of the ~~Chief of the State Police Gambling Control Unit~~ prescribed by authority of this chapter commits a civil violation for which a fine of not more than \$1,000 may be adjudged.

**2. Commercial beano hall violations.** A person, corporation, partnership or unincorporated association that rents or leases a building or facilities to hold, conduct or operate "beano" or "bingo" commits a Class E crime if that person, corporation, partnership or unincorporated association:

A. Rents or leases a building or facilities to hold, conduct or operate a "beano" or "bingo" game without a commercial beano hall permit issued by the ~~Chief of the State Police Gambling Control Unit~~; or

B. Violates a provision of this chapter or a rule adopted by the ~~Chief of the State Police Gambling Control Unit~~ pursuant to this chapter.

Violation of this subsection is a strict liability crime as defined in Title 17-A, section 34, subsection 4-A.

**Sec. JJJJJ-27. 17 MRSA §326,** as amended by PL 1997, c. 684, §4, is further amended to read:

**§326. Proceeds**

**1-A. Payment of proceeds.** An organization licensed or registered to operate beano or bingo and Lucky 7 games in conjunction with beano or bingo may use the proceeds or part of the proceeds to:

A. Pay salaries, wages or remuneration to any person directly involved in operating beano, bingo or Lucky 7 games;

B. Defray the expenses or part of the expenses that further the purpose for which the organization is formed except that proceeds may not be:

(1) Used to purchase alcohol or to defray the cost of activities where alcohol is served; or

(2) Paid directly to organization members except as specifically allowed in this subsection; and

C. Defray the expenses or part of the expenses of a member, auxiliary member, officer or employee of the organization for a serious illness, injury or casualty loss if the licensee makes an application and the application is approved by the licensing division within the Bureau of State Police Gambling Control Unit.

(1) An application must be made in the form and contain the information the licensing division unit requires.

(a) In the case of serious illness or injury, the licensing division unit may require certification by a licensed physician setting out the facts in support of the application.

(b) In the case of a casualty loss, the licensing division unit may require statements or reports from a law enforcement agency, rescue or other emergency services personnel or an insurance agency to support the application.

(c) The licensing division may deny an application if it appears that the person who would receive the proceeds has adequate means of financial support, including, but not limited to, insurance or workers' compensation benefits.

**1-B. Filing.** An organization that chooses to use the proceeds or part of the proceeds as allowed by subsection 1-A must file with the Chief of the State Police Gambling Control Unit, at least quarterly, a form for the disposition of funds prescribed by the Chief of the State Police Gambling Control Unit detailing all payments made. Every statement on the form must be made under oath by an officer of the organization.

**2. Rules.** The rules adopted pursuant to section 317 must contain standards governing payments made under this section. Payments under subsection 1-A, paragraph A may not exceed 20% of the revenue generated by the games and the rules must limit payments to reasonable compensation, taking into account the nature of the services rendered, comparable wage rates, the size of the organization and other revenues, the size of the games and the revenue generated by the games. The ~~Chief of the State Police~~ Gambling Control Unit may disallow any excessive payment of proceeds, may suspend an organization's license or registration for excessive payment of proceeds and may condition the restoration of an organization's license or registration on the repayment of an excessive payment of proceeds by the organization.

**4. Posting.** An organization licensed or registered to operate beano or bingo and Lucky 7 games in conjunction with beano or bingo shall post in a conspicuous place in the room or hall where the licensed game is conducted a sign that states: the net revenue earned from the operation of those games in dollars and cents; the amount of charitable donations from that net revenue in dollars and cents; what percentage in dollars and cents of the net revenue that amount represents in donations to nonprofit activities; and what percentage of the net revenue was distributed from licensed games for the previous calendar year and the current calendar year.

**Sec. JJJJJ-28. 17 MRSA §327**, as enacted by PL 1997, c. 232, §1, is repealed.

**Sec. JJJJJ-29. 17 MRSA §328, sub-§§1 to 5**, as enacted by PL 1999, c. 74, §7, are amended to read:

**1. Permit required.** An individual, corporation, partnership or unincorporated association may not rent or lease space for profit to a licensee to hold, conduct or operate "Beano" or "Bingo" unless a commercial beano hall permit is obtained from the ~~Chief of the State Police~~ Gambling Control Unit.

**2. Application.** An individual, corporation, partnership or unincorporated association desiring to rent or lease space for profit for the purpose given in subsection 1 shall apply to the ~~Chief of the State Police~~ Gambling Control Unit for a commercial beano hall permit. The application must be on forms provided by the ~~Chief of the State Police~~ Gambling Control Unit, must contain the full name and address of the individual or entity seeking to be permitted and the location of the building or facility to be rented or leased. An applicant who is an individual shall list the individual's name and address. An applicant that is a corporation, partnership or unincorporated association shall also list the names and addresses of any owners with a 10% or greater interest in the corporation, partnership or unincorporated association seeking the permit.

A. The applicant shall submit 2 fingerprint cards bearing the legible rolled and flat impression of the fingerprints of the owner, if the owner is an individual, of any owner who owns or controls a 50% or greater interest in the corporation, partnership or the unincorporated association, and, of the manager, if the manager is not the owner as previously described, prepared by a state or local public law enforcement agency to be forwarded to the State Bureau of Identification for the purpose of conducting state and national criminal history record checks.

### 3. Renewal; change of ownership or manager.

A permittee seeking to renew a permit shall submit an application, but is not required to submit additional fingerprint cards. The permittee is required to notify the ~~Chief of the State Police~~ Gambling Control Unit of any change in ownership or management of the commercial beano hall. The ~~Chief of the State Police~~ Gambling Control Unit may require additional information or fingerprint submission subsequent to a change in ownership or management.

4. **Use of criminal history record.** The ~~Chief of the State Police~~ Gambling Control Unit may use state and federal criminal history record information for the purpose of screening applicants. The ~~Chief of the State Police~~ Gambling Control Unit may refuse to issue or renew a permit for an individual, corporation, partnership or unincorporated association if an owner or manager has been found guilty of murder or a Class A, B or C crime or a violation of this chapter or Title 17-A, chapter 15, 29, 37 or 39 or a similar law in another state or jurisdiction, unless that conduct is not punishable as a crime under the laws of that state or other jurisdiction in which it occurred.

5. **Duration of permit and fee.** The ~~Chief of the State Police~~ Gambling Control Unit may issue a commercial beano hall permit for a calendar year for a fee of \$500.

**Sec. JJJJ-30. 17 MRSA §328, sub-§8,** as enacted by PL 1999, c. 74, §7, is amended to read:

8. **Exception.** The requirements of this section do not apply to an agricultural fair association that qualifies for a license registration and operates beano or bingo games pursuant to section ~~344~~ 313.

## PART KKKKK

**Sec. KKKKK-1. 7 MRSA §3972, sub-§4,** as amended by PL 2009, c. 487, Pt. B, §1, is further amended to read:

4. **Exception.** Notwithstanding subsection 1, paragraph C, livestock may be raffled by charitable organizations ~~licensed under in accordance with~~ Title 17, section ~~4837, subsection 3~~ 1837-A for fund-raising purposes. For the purposes of this section, "charitable organization" has the same meaning as defined in Title

9, section 5003, subsection 1. Proceeds from a raffle under this subsection must be used for charitable purposes.

The animal must be awarded in freezer-ready form.

**Sec. KKKKK-2. 17 MRSA §314-A, sub-§1, ¶B,** as amended by PL 2009, c. 487, Pt. B, §6, is further amended to read:

B. In conjunction with the operation of high-stakes beano, federally recognized Indian tribes holding a license under this section may advertise and offer prizes for attendance with a value of up to \$25,000 under the terms prescribed for raffles in section ~~4837~~ 1837-A. Any prize awarded under this paragraph may be awarded only on the basis of a ticket of admission to the high-stakes beano game and may only be awarded to a person who holds an admission ticket.

**Sec. KKKKK-3. 17 MRSA §314-A, sub-§2-A,** as amended by PL 2009, c. 487, Pt. B, §7, is further amended to read:

2-A. **Attendance prizes.** In conjunction with the operation of high-stakes beano, a federally recognized Indian tribe holding a license under this section may advertise and offer prizes for attendance with a value of up to \$25,000 under the terms prescribed for raffles in section ~~4837~~ 1837-A. A prize awarded under this subsection may be awarded only on the basis of a ticket of admission to the high-stakes beano game and may be awarded only to a person who holds an admission ticket.

**Sec. KKKKK-4. 17 MRSA §1831, sub-§1-A** is enacted to read:

1-A. **Card game.** "Card game" means a game of chance conducted using one or more decks of cards, such as poker, blackjack or cribbage.

**Sec. KKKKK-5. 17 MRSA §1831, sub-§2,** as enacted by PL 2009, c. 487, Pt. A, §2, is repealed.

**Sec. KKKKK-6. 17 MRSA §1831, sub-§2-A** is enacted to read:

2-A. **Director.** "Director" means the Executive Director of the Gambling Control Unit.

**Sec. KKKKK-7. 17 MRSA §1831, sub-§4-A** is enacted to read:

4-A. **Gambling Control Unit.** "Gambling Control Unit" or "unit" means the bureau within Department of Public Safety under Title 25, section 2902, subsection 12 or an authorized representative of the Gambling Control Unit.

**Sec. KKKKK-8. 17 MRSA §1831, sub-§5,** as amended by PL 2011, c. 420, Pt. A, §11, is further amended to read:

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

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

For the purposes of this subsection, "an event the result of which is determined by chance" includes but is not limited to a shuffle of a deck of cards, a roll of a die or dice or a random drawing or generation of an object that may include, but is not limited to, a card, a die, a number or simulations of any of these. A shuffle of a deck of cards, a roll of a die, a random drawing or generation of an object or some other event the result of which is determined by chance that is employed to determine impartially the initial order of play in a game, contest, scheme or device does not alone make a game, contest, scheme or device a game of chance. For purposes of this chapter, beano, bingo, ~~a savings promotion raffle~~ and table games as defined in Title 8, section 1001, subsection 43-A are not games of chance.

**Sec. KKKKK-9. 17 MRSA §1831, sub-§8,** as enacted by PL 2009, c. 487, Pt. A, §2, is amended to read:

**8. Licensee.** "Licensee" means a firm, corporation, association or organization licensed by the ~~Chief of the State Police~~ Gambling Control Unit to operate a game of chance.

**Sec. KKKKK-10. 17 MRSA §1831, sub-§12,** as enacted by PL 2009, c. 487, Pt. A, §2, is repealed.

**Sec. KKKKK-11. 17 MRSA §1831, sub-§13,** as amended by PL 2009, c. 599, §2, is further amended to read:

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

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

~~"Raffle" does not include a savings promotion raffle.~~

**Sec. KKKKK-12. 17 MRSA §1831, sub-§13-A** is enacted to read:

**13-A. Registrant.** "Registrant" means a person or organization registered with the Gambling Control Unit to conduct a game of chance, a raffle or certain tournament games, for which a license is not required under this chapter.

**Sec. KKKKK-13. 17 MRSA §1831, sub-§14-A,** as enacted by PL 2009, c. 599, §3, is repealed.

**Sec. KKKKK-14. 17 MRSA §1831, sub-§15,** as enacted by PL 2009, c. 487, Pt. A, §2, is repealed and the following enacted in its place:

**15. Slot machine.** "Slot machine" has the same meaning as provided under Title 8, section 1001, subsection 39.

**Sec. KKKKK-15. 17 MRSA §1832,** as enacted by PL 2009, c. 487, Pt. A, §2, is amended to read:

**§1832. Licenses**

**1. License or registration required.** ~~Except as provided in section 1833, a~~ A person, firm, corporation, association or organization may not hold, conduct or operate a game of chance without a license issued by ~~or, as applicable, without registering with the Chief of the State Police~~ Gambling Control Unit in accordance with this section. A license is not required when a game of chance constitutes social gambling.

**2. Eligible organizations; licenses.** ~~Notwithstanding other provisions of law, the Chief of the State Police~~ The Gambling Control Unit may issue a license to operate a ~~game of chance card game and certain tournament games~~ to an organization that submits a completed application as described in subsection 5 and has been founded, chartered or organized in this State for a period of not less than 2 consecutive years prior to applying for a license and is:

- A. An agricultural society;
- B. A bona fide nonprofit charitable, educational, political, civic, recreational, fraternal, patriotic or religious organization;
- C. A volunteer fire department; or
- D. An auxiliary of any of the organizations in paragraphs A to C.

**2-A. Registration.** The Gambling Control Unit may accept a registration from an eligible organization described in subsection 2 and other persons as specifically provided under section 1835-A, section 1836, subsection 4-B and section 1837-A to conduct games of chance, raffles and charitable cribbage tournaments. An eligible organization or person seeking to register to conduct a game of chance, raffle or charitable cribbage tournament shall register in the manner prescribed by the Gambling Control Unit and shall main-

tain records and reports in the same manner as described under section 1839, except that disposition of funds reports are not required to be submitted to the Gambling Control Unit but must be maintained in the same manner as other records.

**3. Must be 18 years of age.** ~~The Chief of the State Police Gambling Control Unit~~ may not accept a registration to conduct a game of chance, a raffle or certain tournament games or accept an application from or issue a license for card games and certain tournament games under this section to a person or representative of an eligible organization who is not 18 years of age or older.

**4. Municipal approval required.** An eligible organization described in subsection 2 applying for a license to conduct a card game of chance and tournament games requiring a license shall obtain written approval from the local governing authority where the game of chance is to be operated or conducted. This written approval must be submitted with the application to the ~~Chief of the State Police Gambling Control Unit~~ as described in subsection 5.

**5. Application.** An eligible organization described in subsection 2 ~~wishing seeking to obtain a license to operate or~~ conduct a card game of chance or certain tournament games requiring a license shall submit an application to the ~~Chief of the State Police Gambling Control Unit~~. The application must be in a form provided by the ~~Chief of the State Police Gambling Control Unit~~ and must be signed by a duly authorized officer of the eligible organization. The application must include the full name and address of the organization, a full description of the card game of chance or tournament game, the location where the card game or tournament game is to be conducted and any other information determined necessary by the ~~Chief of the State Police Gambling Control Unit~~ for the issuance of a license to operate a card game of chance or certain tournament games, including but not limited to membership lists, bylaws and documentation showing the organization's nonprofit status or charitable designation.

**6. Multiple licenses.** ~~The Chief of the State Police Gambling Control Unit~~ may issue more than one license or registration to conduct or operate a game of chance governed by this chapter simultaneously to an eligible organization described in subsection 2. Each game of chance governed by this chapter must have a separate license, the nature of which must be specified on the license.

**7. Agricultural fairs.** Notwithstanding any provision in this chapter to the contrary, in addition to games of chance, the ~~Chief of the State Police Gambling Control Unit~~ may issue a license accept a registration to conduct or operate games of chance known as "penny falls" or "quarter falls" at any agricultural

fair, as long as the net revenue from those games is retained by the ~~licensed~~ registered agricultural society.

**8. Electronic video machines.** ~~The Chief of the State Police Gambling Control Unit~~ may issue a game of chance license to operate an electronic video machine to any eligible organization described in subsection 2.

A. An electronic video machine licensed under this section may only be operated for the exclusive benefit of the licensee, except that up to 50% of the gross proceeds from the operation of the machine may be paid to the distributor as a rental fee and for service and repair of the machine. Notwithstanding other provisions of this chapter, a licensee may rent an electronic video machine from a distributor.

B. No more than 5 electronic video machines may be operated on the licensee's premises. A separate games of chance license is required for the operation of each electronic video machine.

C. A licensee may operate an electronic video machine only on the licensee's premises.

D. Two or more licensees may not share the use of any premises for the operation of electronic video machines.

E. A distributor or employee of the distributor may not be a member of the licensed organization.

F. An electronic video machine licensed under this subsection may not be operated in a manner that meets the definition of illegal gambling machine as described in Title 17-A, section 952, subsection 5-A.

**Sec. KKKKK-16. 17 MRSA §1834**, as amended by PL 2013, c. 218, §1, is further amended to read:

#### **§1834. Fees**

**1. Original application fee.** ~~The original application for a license to operate a game of chance must be accompanied by a fee of \$7.50. This is not a fee for a license and is not refundable.~~

**2. Operation of games of chance.** Except for electronic video games ~~and games of cards~~ as provided in this section, the registration fee for a license to operate a game of chance is \$15 for each week computed on a Monday to Sunday basis or for a portion of a week. The fee for a license issued for a calendar month is \$60 and the fee for licenses issued for a calendar year is \$700.

The ~~Chief of the State Police Gambling Control Unit~~ may issue any combination of weekly or monthly licenses for the operation of games of chance. ~~Except for games of cards as provided in subsection 4, licenses~~ Registration to conduct any authorized game of

chance may be issued for a period of up to 12 months on one application.

**3. Operation of electronic video machines.** The fee for a game of chance license to operate an electronic video machine in accordance with section 1832, subsection 8 is \$15 for each week computed on a Monday to Sunday basis or for a portion of a week. The fee for a license issued for a calendar month is \$60.

The ~~Chief of the State Police~~ Gambling Control Unit may issue any combination of weekly or monthly licenses for the operation of electronic video machines. A license or combination of licenses to operate an authorized electronic video machine may be issued for a period of up to 12 months.

**4. Games of cards.** The fee for a license issued to an organization to operate a game of cards, when the organization charges no more than a \$10 daily entry fee for participation in the games of cards and when no money or valuable thing other than the \$10 daily entry fee is gambled by any person in connection with the game of cards, is \$30 for each calendar year or portion of a calendar year. For card games that are played by placing the maximum bet of \$1 per hand or deal, the license fee ~~is the same as provided in subsection 2~~ for a calendar month is \$60 and the fee for licenses issued for a calendar year is \$700.

**5. Distributors.** The fee for a license issued to a distributor is \$625 for each calendar year or portion of a calendar year.

~~**6. Printers.** The fee for a license issued to a printer is \$15 for each calendar year or portion of a calendar year.~~

**7. Application.** A license to operate any authorized card game of chance may be issued for a period of up to 12 months on one application. Authority to conduct a game of chance, a raffle or charitable cribbage tournament games pursuant to section 1836, subsection 4-B may be granted for a period of up to 12 months on one registration.

All fees required by this section must accompany ~~the~~ a registration or an application for any license issued by authority of this chapter.

Fees submitted as license or registration fees must be refunded if the license is not issued or the registration is not accepted. Rebates may not be given for any unused license or registration or portion of an unused license or registration. If any license is suspended or revoked as provided by this chapter, fees paid for that license or registration may not be refunded.

**Sec. KKKKK-17. 17 MRSA §1835,** as amended by PL 2013, c. 149, §1 and c. 218, §2, is further amended to read:

## **§1835. Conduct card games**

**1. Wagers or entry fees for card games; exceptions.** The following limits apply to ~~games of chance~~ a card game.

A. The maximum bet for a licensed ~~game of chance including card games~~ game in which bets are placed per hand or per deal is \$1.

B. Licensed card games that award part or all of the entry fees paid to participate in the game as prize money and in which no money or thing of value is wagered except for the entry fee are limited to a \$10 daily entry fee and no more than 60 players at any one time at any one location.

C. If the licensee operates card games of chance for less than 3 total days in a calendar year and contributes 100% of the gross revenue from those ~~games of chance~~ to charity, the amount wagered must be limited to:

- (1) A \$1 daily entry fee;
- (2) Fifty cents per game; or
- (3) Twenty-five cents per card received.

Prior to play of the game, the licensee shall determine which of the limits in subparagraphs (1), (2) and (3) is to be used and shall post the limit where the game is conducted.

**2. Games conducted by members and bartenders of licensee only.** A card game of chance licensed pursuant to this chapter must be operated and conducted for the exclusive benefit of the licensee and must be operated and conducted only by duly authorized members of the licensee or by persons employed by the licensee as bartenders, except that nonmembers employed by the licensee as bartenders may not operate or conduct any card game of chance permitted under subsection 5, paragraph B. The requirements of this subsection do not apply to any agricultural society licensed to operate a card game of chance.

**3. Games conducted at agricultural fair by members of the agricultural society or a bona fide nonprofit.** ~~Games of chance~~ Card games operated and conducted solely by members of an agricultural society or card games of chance operated and conducted by members of bona fide nonprofit organizations on the grounds of the agricultural society and during the annual fair of the agricultural society may use cash, tickets, tokens or other devices approved by the ~~Chief of the State Police~~ Gambling Control Unit by rule.

Notwithstanding any other provision of this section, the tickets, tokens or other devices approved by the ~~Chief of the State Police~~ Gambling Control Unit must be unique to the agricultural society and may be in denominations of 25¢, 50¢ or \$1. The tickets, tokens or devices approved by the ~~Chief of the State Police~~

Gambling Control Unit may be sold and redeemed only by a person who has been a member or active volunteer of the agricultural society for at least 2 fair seasons. The agricultural society has the burden of proof for demonstrating the qualification of members or active volunteers.

An agricultural society that uses tokens shall provide records and reports as required by section 1839.

**4. Persons under 18 years of age.** ~~Except as provided in this subsection, a~~ A licensee, game owner or operator may not permit a person under 18 years of age to take part in a card game of chance, and a person under 18 years of age may not sell chances, except in relation to charitable, religious or recognized youth associations. ~~Notwithstanding any rule to the contrary, upon receiving an application on a form provided by the Chief of the State Police and a determination by the chief that a game of chance licensed to be conducted at a festival style event is designed to attract players under 18 years of age and awards a non-monetary prize valued at less than \$10 for every chance played, the chief may permit:~~

~~A. Persons under 18 years of age to conduct or operate the game of chance; and~~

~~B. Persons under 18 years of age to play the game of chance without being accompanied by an adult.~~

~~Nothing in this subsection permits games of chance to be operated without a license.~~

**5. Location.** A license issued pursuant to this section must specify the location where the organization may operate the licensed card game of chance. A licensee may not operate card games of chance in more than one location at the same time.

A. An agricultural society or a bona fide nonprofit organization may operate a card game of chance on the grounds of an agricultural society and during the annual fair of the agricultural society.

B. No more than one licensee may operate a card game of chance at a time on the same premises. In any room where a licensed card game of chance is being conducted, there must be at least one member of the licensee present in that room for every 2 nonmembers who are present. That member must have been a member of the licensee for at least one year. A member of the licensee, either directly or through another member or guest, may not stake or risk something of value in the licensee's card game of chance unless the member has been a member of the licensee for at least 14 days not including the day of admission into membership.

A bona fide nonprofit organization may operate a licensed card game of chance to which the general pub-

lic has access once every 3 months for a period not to exceed 3 consecutive days. The licensed card game of chance may be operated at any location described in the license and may be conducted only by members of the licensee. ~~This subsection does not apply to raffles conducted in accordance with section 1837.~~

**6. Door prizes.** Distribution of tickets to an event upon which appear details concerning any prize to be given away as a result of a drawing is a game of chance within the meaning of this chapter; a distribution of tickets containing only the words "Door Prize," without further description, is excluded from the provisions of this chapter, as long as no promotional materials or presentations, written or oral, describe the door prize.

**7. "Donation" not to provide an exclusion.** The word "donation" printed on a ticket does not exclude the sponsoring organization from complying with this chapter.

**8. Wager limit exception.** Notwithstanding subsection 1, an organization that is licensed to conduct games of chance in accordance with this chapter is permitted to accept wagers up to \$50 per hand for a poker run. The organization must inform the ~~Chief of the State Police~~ Gambling Control Unit 30 days in advance of the date when the organization intends to conduct a poker run with an increased wager limit. An organization is limited to 2 poker run events per calendar year in which wagers up to \$50 per hand are permitted. For the purposes of this subsection, "poker run" means a game of chance using playing cards that requires a player to travel from one geographic location to another in order to play the game.

**Sec. KKKKK-18. 17 MRSA §1835-A** is enacted to read:

**§1835-A. Conduct of games of chance**

**1. Wagers or entry fees; exceptions.** The following limits apply to games of chance.

A. The maximum bet for a licensed game of chance is \$1.

B. If the registrant operates games of chance for less than 3 total days in a calendar year and contributes 100% of the gross revenue from those games of chance to charity, the amount wagered must be limited to:

(1) A \$1 daily entry fee; or

(2) Fifty cents per game.

**2. Games conducted by members and bartenders of registrant only.** A game of chance registered pursuant to this chapter must be operated and conducted for the exclusive benefit of the registrant and must be operated and conducted only by duly authorized members of the registrant or by persons employed by the registrant as bartenders, except that

nonmembers employed by the registrant as bartenders may not operate or conduct any game of chance permitted under subsection 5, paragraph B. The requirements of this subsection do not apply to any agricultural society registered to operate a game of chance.

**3. Games conducted at agricultural fair by members of the agricultural society or a bona fide nonprofit.** Games of chance operated and conducted solely by members of an agricultural society or games of chance operated and conducted by members of bona fide nonprofit organizations on the grounds of the agricultural society and during the annual fair of the agricultural society may use cash, tickets, tokens or other devices approved by the Gambling Control Unit by rule.

Notwithstanding any other provision of this section, the tickets, tokens or other devices approved by the Gambling Control Unit must be unique to the agricultural society and may be in denominations of 25¢, 50¢ or \$1. The tickets, tokens or devices approved by the Gambling Control Unit may be sold and redeemed only by a person who has been a member or active volunteer of the agricultural society for at least 2 fair seasons. The agricultural society has the burden of proof for demonstrating the qualification of members or active volunteers.

An agricultural society that uses tokens shall provide records and reports as required by section 1839.

**4. Persons under 18 years of age; exception.** Except as provided in section 1837-A, a registrant, game owner or operator may not permit a person under 18 years of age to take part in a game of chance. Notwithstanding any rule to the contrary, upon receiving an application on a form provided by the Gambling Control Unit and a determination by the director that a game of chance licensed to be conducted at a festival-style event is designed to attract players under 18 years of age and awards a nonmonetary prize valued at less than \$10 for every chance played, the Gambling Control Unit may permit:

A. Persons under 18 years of age to conduct or operate the game of chance; and

B. Persons under 18 years of age to play the game of chance without being accompanied by an adult.

Nothing in this subsection permits games of chance to be operated without being registered with the Gambling Control Unit.

**5. Location.** A registration for a game of chance must specify the location where the organization may operate the game. A registrant may not operate games of chance in more than one location at the same time.

A. An agricultural society or a bona fide nonprofit organization may operate a game of chance

on the grounds of an agricultural society and during the annual fair of the agricultural society.

B. No more than one registrant may operate a game of chance at a time on the same premises. In any room where a registered game of chance is being conducted, there must be at least one member of the organization registered to conduct games of chance present in that room for every 2 nonmembers who are present. That member must have been a member of the registered organization for at least one year. A member of the organization registered to conduct games of chance, either directly or through another member or guest, may not stake or risk something of value in the registrant's game of chance unless the member has been a member of the organization registered to conduct games of chance for at least 14 days not including the day of admission into membership.

A bona fide nonprofit organization may operate a registered game of chance to which the general public has access once every 3 months for a period not to exceed 3 consecutive days. The game of chance may be operated at any location described in the organization's registration and may be conducted only by members of the registrant. This subsection does not apply to raffles conducted in accordance with section 1837-A.

**6. Door prizes.** Distribution of tickets to an event upon which appear details concerning any prize to be given away as a result of a drawing is a game of chance within the meaning of this chapter; a distribution of tickets containing only the words "Door Prize," without further description, is excluded from the provisions of this chapter, as long as no promotional materials or presentations, written or oral, describe the door prize.

**7. "Donation" not to provide an exclusion.** The word "donation" printed on a ticket does not exclude the sponsoring organization from complying with this chapter.

**Sec. KKKKK-19. 17 MRSA §1836, first ¶,** as amended by PL 2011, c. 325, §1, is further amended to read:

~~The Chief of the State Police Gambling Control Unit~~ may issue a license under this section to an organization eligible to conduct beano games under chapter 13-A and games of chance under this chapter to conduct up to 2 tournament games per month. For purposes of this section, "tournament game" means a game of chance played using a deck of cards with rules similar to poker or other card games.

**Sec. KKKKK-20. 17 MRSA §1836, sub-§§1 and 2,** as enacted by PL 2009, c. 487, Pt. A, §2, are amended to read:

**1. Local governing authority approval.** An organization applying for a tournament game license

must first receive approval by the local governing authority where the game is to be conducted. Proof of approval from the local governing authority must be provided to the ~~Chief of the State Police~~ Gambling Control Unit upon application for a tournament game license.

**2. License application.** An organization ~~must~~ shall submit a license application to the ~~Chief of the State Police~~ Gambling Control Unit on a form provided by the ~~Chief of the State Police~~ Gambling Control Unit. The license application must specify one or more charitable organizations that the proceeds of the tournament game are intended to benefit. For the purposes of this section, "charitable organization" means a person or entity, including a person or entity in a foreign state as defined in Title 14, section 8502, that is or purports to be organized or operated for any charitable purpose or that solicits, accepts or obtains contributions from the public for any charitable, educational, humane or patriotic purpose.

**Sec. KKKKK-21. 17 MRSA §1836, sub-§4-A,** as amended by PL 2017, c. 182, §1, is further amended to read:

**4-A. Exception for super cribbage tournament.** Notwithstanding any provision of this section to the contrary, the ~~Chief of the State Police~~ Gambling Control Unit may issue up to 15 licenses per year for the conduct of a super cribbage tournament. For the purposes of this subsection, "cribbage" means a card game that uses a board and pegs to keep score and of which the characteristic feature is a crib into which players discard cards from their dealt hand to create a crib of 4 cards unseen by other players that will be ultimately part of the dealer's hand. The license fee for a super cribbage tournament is \$75. A super cribbage tournament must be conducted in the same manner as prescribed for a tournament game by this section except as follows.

A. The super cribbage tournament may be conducted by a nationally chartered organization that organizes tournament-style cribbage games and that is exempt from taxation under the United States Internal Revenue Code, Section 501(c)(3) so long as the principal organizer has been a member of that organization for a period of not less than 3 years.

B. The minimum number of players required is 30.

C. The maximum entry fee allowed is \$100 per player.

D. The super cribbage tournament need not be held on premises owned by the licensee.

E. The super cribbage tournament may be conducted over a period of up to 72 hours.

F. Notwithstanding subsection 2, 50% of the proceeds of the super cribbage tournament after prizes are paid must be paid to a bona fide charitable organization, other than the licensee, listed on the tournament application submitted to the ~~Chief of the State Police~~ Gambling Control Unit.

**Sec. KKKKK-22. 17 MRSA §1836, sub-§4-B** is enacted to read:

**4-B. Charitable cribbage tournament.** The Gambling Control Unit shall accept a registration for a cribbage tournament to be conducted as prescribed by this subsection. For the purposes of this section, "cribbage" means a card game that uses a board and pegs to keep score and of which the characteristic feature is a crib into which players discard cards from their dealt hand to create a crib of 4 cards unseen by other players that will be ultimately part of the dealer's hand. In a cribbage tournament, winners are determined by a process of elimination. A cribbage tournament may extend beyond a calendar day. A person may operate a cribbage tournament as registered by the Gambling Control Unit if the operator:

A. Is a restaurant licensed in accordance with Title 22, chapter 562 or a manufacturer licensed under Title 28-A, section 1355-A who offers complimentary samples or samples for a charge to the public at the licensee's manufacturing facility. For the purposes of this subsection, "restaurant" means a reputable place operated by responsible persons of good reputation that is regularly used for the purpose of providing food for the public and that has adequate and sanitary kitchen and dining room equipment and capacity for preparing and serving suitable food for the public;

B. Limits play to the location of the licensed establishment and to patrons of the licensed establishment who are 21 years of age or older; and

C. Charges an entry fee not to exceed \$25 per person for participation in the cribbage tournament. Notwithstanding section 1838, all entry fees must be awarded as prizes to winners of the tournament for which the entry fees were paid, except that the operator may donate all or a portion of the entry fees to a charitable organization. An operator may not charge a fee except for the entry fee and may not receive any portion of the proceeds from the operation of the cribbage tournament.

**Sec. KKKKK-23. 17 MRSA §1836, sub-§6,** as amended by PL 2011, c. 325, §5, is further amended to read:

**6. Cost of administration; surplus.** ~~The Chief of the State Police~~ Gambling Control Unit may retain, from license fees collected in accordance with subsection 3-A, only an amount necessary to defray the costs of administering this section. All fees collected in

excess of the amount necessary to defray the costs of administration must be allocated as follows:

- A. Forty percent to the Fractionation Development Center; and
- B. Sixty percent to the General Fund.

**Sec. KKKKK-24. 17 MRSA §1837**, as enacted by PL 2009, c. 487, Pt. A, §2 and amended by PL 2011, c. 657, Pt. W, §6, is repealed.

**Sec. KKKKK-25. 17 MRSA §1837-A** is enacted to read:

**§1837-A. Raffles**

**1. Registration required.** Unless otherwise specified by this section, a person or organization may not conduct a raffle without registering with the Gambling Control Unit.

**2. Raffle with a prize of \$1,000 or less.** A person or organization is not required to register with the Gambling Control Unit to conduct a raffle in which the total value of the prize offered to the holder of the winning chance does not exceed \$1,000. If the raffle is conducted in a manner in which there are multiple winning chances, the total value of all prizes offered may not exceed a value of \$1,000.

**3. Raffle with a noncash prize of \$1,001 to \$10,000.** A person or organization may conduct a raffle in which the total value of the prize offered to the winning chance is greater than \$1,001 and does not exceed \$10,000 upon the acceptance of a registration by the Gambling Control Unit. The Gambling Control Unit may not accept a registration for a raffle under this subsection unless the registration states a verifiable charitable purpose for which the proceeds of the raffle are dedicated to benefit. If the raffle is conducted in a manner in which there are multiple winning chances, the total value of all prizes offered may not exceed a value of \$10,000. A prize offered for a raffle conducted under this subsection may not be in the form of cash and may not be exchanged for cash.

**4. Raffle with a noncash prize up to \$75,000 conducted by eligible organization.** An eligible organization as described in section 1832, subsection 2 may conduct a raffle in which the total value of the prize offered to the winning chance does not exceed \$75,000 upon the acceptance of a registration by the Gambling Control Unit. The registration must state a verifiable charitable purpose for which the proceeds of the raffle are dedicated to benefit. If the raffle is conducted in a manner in which there are multiple winning chances, the total value of all prizes offered may not exceed a value of \$75,000. A prize for a raffle conducted under this subsection may not be in the form of cash and may not be exchanged for cash. An eligible organization may not conduct more than one raffle under this subsection in a 12-month period.

**5. Raffle conducted by persons 18 years of age or older; exception.** Raffle chances or tickets may not be sold by a person under 18 years of age, except for raffles conducted under subsections 2 and 3 designed to benefit activities of children at an event generally attended by persons under 18 years of age.

**Sec. KKKKK-26. 17 MRSA §1838, sub-§§1 to 3**, as enacted by PL 2009, c. 487, Pt. A, §2, are amended to read:

**1. Compensation.** Those who conduct games of chance, card games, tournament games or raffles may not be paid for such services except according to this subsection.

A. An organization including a fair licensed to operate beano, bingo or lucky seven games may use up to 20% of the gross revenue to compensate those who conduct the games.

B. Each person who conducts a game of chance licensed to an agricultural society may be paid at a rate that does not exceed 3 times the State's minimum wage as established in Title 26, section 664, subsection 1, unless the game is one for which the limit in paragraph A applies.

**2. Exception.** Notwithstanding subsection 1, a licensee or registrant may use the proceeds of a game of chance, card game, tournament game or raffle to:

A. Defray the expenses or part of the expenses that further the purpose for which the organization is formed, except that the proceeds may not be:

- (1) Used to purchase alcohol or to defray the cost of activities where alcohol is served; or
- (2) Paid directly to organization members except as specifically allowed in this section; and

B. Defray the expenses or part of the expenses of a member, auxiliary member, officer or employee of the organization for a serious illness, injury or casualty loss if the licensee makes an application pursuant to this section and the application is approved by the ~~licensing division within the Bureau of State Police~~ Gambling Control Unit. An application must be made in the form and contain the information the ~~licensing division~~ Gambling Control Unit requires.

(1) In the case of serious illness or injury, the ~~licensing division unit~~ may require certification by a licensed physician in support of the application.

(2) In the case of a casualty loss, the ~~licensing division unit~~ may require statements or reports from a law enforcement agency, rescue or other emergency services personnel or an insurance agency to support the application.

(3) The ~~licensing division unit~~ may deny an application if it appears that the person who would receive the proceeds has adequate means of financial support, including, but not limited to, insurance or workers' compensation benefits.

**3. Rules.** The ~~Chief of the State Police~~ Gambling Control Unit shall adopt routine technical rules in accordance with Title 5, chapter 375 to carry out this section.

**Sec. KKKKK-27. 17 MRSA §1839**, as enacted by PL 2009, c. 487, Pt. A, §2, is amended to read:

**§1839. Records and reports**

**1. Records required.** Each licensee ~~or registrant~~ shall keep a record of all financial transactions involving games ~~of chance operated under each license granted to the licensee this chapter. The treasurer of the licensee or another officer designated by the treasurer is responsible for maintaining those records.~~ The records must include an exact account of all gross revenue from the games, an itemization of all allowable expenses, including, but not limited to, the cost of prizes, printing, licenses and administration, and the disposition of all proceeds, including, but not limited to, all gifts, grants and payments to any person, firm, corporation, association or organization for any purpose whatsoever. All financial records involving games ~~of chance operated under this chapter~~ must be separate and distinguishable from other records of the organization. Revenue from more than one game ~~of chance operated under this chapter~~ may be entered into one account.

**2. Records required for licensee or registrant employing tokens.** If a licensee ~~or registrant~~ employs tokens to account for revenue from games ~~of chance operated under this chapter~~ and if the licensee ~~or registrant~~ maintains direct control over the sale and redemption of the tokens and keeps accurate records of all tokens used, then the ~~chief~~ Gambling Control Unit may by rule alter or reduce the record-keeping requirements of subsection 1 to the extent ~~that a licensee's~~ the use of tokens renders those records unnecessary for adequate control of the licensee's ~~or registrant's~~ games.

**3. Disposition of funds reports.** Within 10 business days after the last day of any period during which a licensed game ~~of chance under this chapter~~ is conducted ~~with other than an annual license or within 10 business days after the end of each calendar month during which a licensed game of chance is conducted with an annual license~~, the licensee shall file with the ~~Chief of the State Police~~ Gambling Control Unit a disposition of funds form prescribed and furnished by the ~~Chief of the State Police~~ Gambling Control Unit, detailing for the period the total receipts and expendi-

tures of the game and the disposition of funds. Every statement must be made under oath by an officer of the licensee or by the member in charge of the conduct of the game. A registrant who conducts games under this chapter shall maintain records of disposition of funds, which must be made available to the Gambling Control Unit upon request.

**4. Disposition of funds reports from registrant using tokens.** If tokens are employed to account for revenue from games ~~of chance operated under this chapter~~, then the ~~licensee~~ registrant shall maintain a report of the number of tokens sold, the number redeemed and the disposition of funds from the proceeds of sale in addition to such other information as the chief Gambling Control Unit may require under subsection 3.

**5. Records maintained for 3 years.** Every licensee ~~or registrant~~ that has conducted a game ~~of chance under this chapter~~ shall maintain and keep for a period of 3 years reports as may be necessary to substantiate the records and reports required by this section or by the rules adopted under this chapter.

**6. Location.** All records maintained by a licensee ~~or registrant~~ pursuant to this section and pursuant to the rules adopted under this chapter must be kept and maintained on the premises where the game ~~of chance~~ has been conducted or at the primary business office of the licensee ~~or registrant~~, which must be designated by the licensee ~~or registrant~~ in the license application ~~or the registrant in the registration~~. These records must be open to inspection by the ~~Chief of the State Police or the chief's representative~~ Gambling Control Unit, and a licensee ~~or registrant~~ may not refuse the ~~Chief of the State Police or the chief's representative~~ Gambling Control Unit permission to inspect or audit the records. Refusal to permit inspection or audit of the records does not constitute a crime under this chapter but constitutes grounds for revocation of license ~~or registration~~.

**Sec. KKKKK-28. 17 MRSA §1840**, as enacted by PL 2009, c. 487, Pt. A, §2, is amended to read:

**§1840. Distributors; records and reports**

**1. Printers licensed.** ~~A printer in the State may not print materials to be used in the conduct of a licensed game of chance unless licensed by the Chief of the State Police. A printer licensed under this section may act as a distributor without having to be licensed as a distributor as long as neither the printer nor anyone on the printer's behalf acts as a seller for services connected with a game of chance outside of the confines of the printer's premises described in that printer's license. If that printer or someone else acts as a seller for the printer's services in connection with a game of chance outside of the premises described on that printer's license, either that printer or any person~~

or persons acting on that printer's behalf must be licensed as a distributor under subsection 2.

The applicant for a printer's license, or, if the applicant is a firm, corporation, association or other organization, its resident manager, superintendent or official representative shall file an application with the Chief of the State Police on a form provided by the Chief of the State Police. The Chief of the State Police shall furnish to each applicant a current copy of this chapter and the rules adopted under section 1843 and to each licensee a copy of any changes or additions to this chapter and the rules adopted under section 1843.

**2. Distributors licensed.** A distributor may not sell, lease, market or otherwise distribute gambling apparatus or implements unless licensed by the Chief of the State Police Gambling Control Unit, except that a license is not required for the sale, marketing or distribution of raffle tickets when the holder of the winning chance receives something of value worth less than \$10,000.

A nonresident manufacturer or distributor of gambling apparatus or implements doing business in the State must have an agent in this State who is licensed as a distributor. A distributor may not sell, market or otherwise distribute gambling apparatus or implements to a person or organization, except to persons or eligible organizations described under section 1832, subsection 2 licensed or registered to operate or conduct games of chance under section 1832, licensed this chapter or registered to conduct a special raffle under section 1837, subsection 2 or eligible to conduct a raffle pursuant to section 1837, subsection 4 1837-A. A distributor may not lease or loan or otherwise distribute free of charge any gambling apparatus or implements to an organization eligible to operate a game of chance under this chapter, except that a distributor may lease gambling apparatus or implements to an agricultural society licensed registered to operate games of chance on the grounds of the agricultural society and during the annual fair of the agricultural society as long as the distributor does not charge the agricultural society an amount in excess of 50% of the gross revenue from any licensed game of chance conducted under this chapter.

A licensee or registrant shall acquire gambling apparatus and implements from a distributor licensed under this section, unless the gambling apparatus or implements are printed, manufactured or constructed by the licensed organization. At no time may any licensee print, manufacture or construct any gambling apparatus or implements for distribution to any other licensee. The applicant for a distributor's license, or, if the applicant is a firm, corporation, association or other organization, its resident manager, superintendent or official representative shall file an application with the Chief of the State Police Gambling Control Unit on a form provided by the Chief of the State Police Gam-

bling Control Unit. The Chief of the State Police Gambling Control Unit shall furnish to each applicant a current copy of this chapter and the rules adopted under section 1843 and to each licensee a copy of any changes or additions to this chapter and the rules adopted under section 1843.

**3. Sales agreements.** A distributor shall forward to the Chief of the State Police Gambling Control Unit, prior to delivery of any gambling machine to the purchaser, a copy of all sales agreements, sales contracts or any other agreements involving the sale of any gambling machine. The terms of the sales contract must include, but are not limited to, the name of seller, name of purchaser, address of seller, address of purchaser, description of the gambling machine including serial number and model name and number, total sale price, any arrangement or terms for payments and the date of final payment.

Any change, modification or alteration of these agreements must be reported to the Chief of the State Police Gambling Control Unit by the purchaser within 6 days of the change, modification or alteration.

**4. Service agreements.** With the sale of any gambling machine involving a service agreement, the distributor shall forward to the Chief of the State Police Gambling Control Unit a copy of the agreement prior to delivery of the machine. The terms of the service agreements must include, but are not limited to, the name of seller, name of purchaser, address of seller, address of purchaser, description of machine to be serviced including serial number and model name and number and all prices and payments for that service.

Any change, modification or alteration of the agreement must be reported to the Chief of the State Police Gambling Control Unit by the purchaser within 6 days of the change, modification or alteration.

**5. Agricultural societies; lease agreements.** When a gambling apparatus or implement is leased as provided in subsection 2 to an agricultural society, the distributor shall forward to the Chief of the State Police Gambling Control Unit a copy of the lease agreement prior to delivery of the gambling apparatus or implement. The terms of the lease must include, but are not limited to, the name of the lessor; address of the lessor; name of the lessee; address of the lessee; description of the gambling apparatus or implement; serial number, model name or number of the gambling apparatus or implement; and all prices and payments for the lease. Each lease must be for a specific period of time no longer than the duration of the annual fair of that lessee, and each gambling apparatus must have its own separate lease. Gambling apparatus or implements leased under this section:

A. May be operated only for the exclusive benefit of the agricultural society, except that the agricul-

tural society may pay a distributor up to 50% of gross gaming revenue in accordance with subsection 2; and

B. Must bear the name and address of the distributor.

**6. Reports.** At the end of each calendar month, a distributor ~~or printer~~ shall file with the ~~Chief of the State Police~~ Gambling Control Unit a report indicating:

A. The names and addresses of all persons or organizations to which the distributor ~~or printer~~ has distributed equipment and the dates of the distribution;

B. A description of the equipment distributed, including serial number and model name and number; and

C. The quantities of any equipment distributed.

**7. Retention and inspection of records.** A distributor ~~or printer~~ shall maintain and keep for a period of 3 years, on the premises of the distributor ~~or printer~~, any records that may be necessary to substantiate the reports required by this section or by the rules adopted under this chapter. The records must be open to inspection, and a licensee or registrant may not refuse the ~~Chief of the State Police or the chief's representative~~ Gambling Control Unit permission to inspect or audit the records. Refusal to permit inspection or audit of the records does not constitute a crime under this chapter but constitutes grounds for revocation of license or registration.

**8. Reports generally.** The ~~Chief of the State Police~~ Gambling Control Unit shall require from any licensed ~~printer or~~ distributor, or from any organization authorized to operate a game ~~of chance under this chapter~~, whatever reports determined necessary by the ~~chief unit~~ for the purpose of the administration and enforcement of this chapter.

**Sec. KKKKK-29. 17 MRSA §1842**, as enacted by PL 2009, c. 487, Pt. A, §2, is amended to read:

**§1842. Investigations and actions on licenses and registrations; evidence**

**1. Investigation.** The ~~Chief of the State Police~~ Gambling Control Unit shall investigate or cause to be investigated all complaints made to the ~~chief unit~~ and all violations of this chapter or the rules adopted pursuant to section 1843.

**2. Refusal to issue, modify or renew; modification; suspension; revocation.** Each of the following is grounds for an action to refuse to issue, modify or renew or to modify, suspend or revoke the license of a distributor ~~or printer~~ licensed under this chapter:

A. The distributor ~~or printer~~ or its resident manager, superintendent or official representative made or caused to be made a false statement of material fact in obtaining a license under this chapter or in connection with service rendered within the scope of the license issued;

B. The distributor ~~or printer~~ or its resident manager, superintendent or official representative violated any provision of this chapter or any rule adopted by the ~~Chief of the State Police~~ Gambling Control Unit under section 1843.

(1) Except as provided in subparagraph (2), the ~~Chief of the State Police~~ Gambling Control Unit shall give written notice of any violation to the distributor ~~or printer~~ who then has 14 days to comply. Failure to comply within the 14-day period is grounds for an action under this section.

(2) If a distributor ~~or printer~~ violates section 1840, subsection 1 or 2, the ~~Chief of the State Police~~ Gambling Control Unit is not required to give the notice or allow the compliance period provided in subparagraph (1); or

C. The distributor ~~or printer~~ or its resident manager, superintendent or official representative has been:

(1) Convicted of a crime under this chapter or Title 17-A, chapter 39; or

(2) Convicted within the prior 10 years of any crime for which imprisonment for more than one year may be imposed.

**3. Gambling Control Unit.** The ~~Chief of the State Police~~ Gambling Control Unit may:

A. Investigate all aspects of this chapter including the direct and indirect ownership or control of any licenses or registrations;

B. Suspend, revoke or refuse to issue a license or accept a registration, after notice and the opportunity for a hearing, if the applicant, applicant's agent or employee, licensee ~~or~~ licensee's agent or employee, or registrant, registrant's agent or employee or person registering violates a provision of this chapter or Title 17-A, chapter 39 or fails to meet the statutory requirements for licensure or registration pursuant to this chapter;

C. Immediately suspend or revoke a license or registration if there is probable cause to believe that the licensee or the licensee's agent or employee or the registrant or the registrant's agent or employee violated section 1832, subsection 8, paragraph C; section 1841, subsection 2; or a provision of Title 17-A, chapter 39;

D. Issue a subpoena in the name of the State Police in accordance with Title 5, section 9060, ex-

cept that this authority applies to any stage of an investigation under this chapter and is not limited to an adjudicatory hearing. This authority may not be used in the absence of reasonable cause to believe a violation has occurred. If a witness refuses to obey a subpoena or to give any evidence relevant to proper inquiry by the ~~chief unit~~, the Attorney General may petition the Superior Court in the county where the refusal occurred to find the witness in contempt. The Attorney General shall cause to be served on that witness an order requiring the witness to appear before the Superior Court to show cause why the witness should not be adjudged in contempt. The court shall, in a summary manner, hear the evidence and, if it is such as to warrant the court in doing so, punish that witness in the same manner and to the same extent as for contempt committed before the Superior Court or with reference to the process of the Superior Court; and

E. Require such evidence as the ~~chief unit~~ determines necessary to satisfy the ~~chief unit~~ that an applicant or organization licensed or registered to conduct games of ~~chance~~ under this chapter conforms to the restrictions and other provisions of this chapter. Charters, organizational papers, by-laws or other such written orders of founding that outline or otherwise explain the purpose for which an organization was founded; must, upon request, be forwarded to the ~~Chief of the State Police Gambling Control Unit~~. The ~~Chief of the State Police Gambling Control Unit~~ may require of any licensee, registrant or person registering or of any person operating, conducting or assisting in the operation of a game licensed ~~game of chance~~ or registered under this chapter, evidence as the ~~chief unit~~ may determine necessary to satisfy the ~~chief unit~~ that the person is a duly authorized member of the licensee, registrant or person registering or a person employed by the licensee, registrant or person registering as a bartender as required by section 1835, subsection 2 and section 1835-A, subsection 2. Upon request, this evidence must be forwarded to the ~~Chief of the State Police Gambling Control Unit~~. The ~~Chief of the State Police Gambling Control Unit~~ may require such evidence as the ~~chief unit~~ may determine necessary regarding the conduct of games of ~~chance~~ by a licensee authorized under this chapter to determine compliance with this chapter.

**4. Actions after notice and opportunity for hearing.** The ~~Chief of the State Police Gambling Control Unit~~ shall notify the applicant, registrant or licensee in writing, before a license or registration is denied, suspended or revoked pursuant to subsection 3, paragraph B, of the intended denial or commencement date of the suspension or revocation, which may not be made any sooner than 96 hours after the licen-

see's or registrant's receipt of the notice, of the duration of the suspension or revocation and of the right to a hearing pursuant to this subsection. The applicant or licensee, person registering or registrant has the right to request a hearing before the Commissioner of Public Safety or the commissioner's designee. Upon the applicant's or licensee's request for a hearing, the Commissioner of Public Safety shall provide a hearing. The hearing must comply with the Maine Administrative Procedure Act. The purpose of the hearing is to determine whether a preponderance of the evidence establishes that the applicant, person registering, applicant's or registering person's agent or employee or the licensee, registrant or licensee's or registrant's agent or employee violated a provision of this chapter or Title 17-A, chapter 39. A request for a hearing may not be made any later than 10 days after the applicant or licensee, person registering or registrant is notified of the proposed denial, suspension or revocation. The suspension or revocation must be stayed pending the hearing; the hearing may not be held any later than 30 days after the date the commissioner receives the request unless otherwise agreed by the parties or continued upon request of a party for cause shown.

**5. Immediate suspension or revocation.** A licensee or registrant whose license or registration is immediately suspended or revoked by the ~~Chief of the State Police Gambling Control Unit~~ pursuant to subsection 3, paragraph C must be notified in writing of the duration of the suspension or revocation and the licensee's or registrant's right to request a hearing before the Commissioner of Public Safety or the commissioner's designee. Upon the licensee's or registrant's request for a hearing, the Commissioner of Public Safety shall provide a hearing. The hearing must comply with the Maine Administrative Procedure Act. The purpose of the hearing is to determine whether a preponderance of the evidence establishes that the licensee or the registrant, the licensee's agent or employee or the registrant's agent or employee violated section 1832, subsection 8, paragraph C; section 1841, subsection 2; or a provision of Title 17-A, chapter 39. A request for a hearing may not be made any later than 48 hours after the licensee or registrant is notified of the suspension or revocation. A hearing may not be held any later than 10 days after the date the commissioner receives the request.

**6. Access to premises.** A person, firm, corporation, association or organization making application or registration to the ~~Chief of the State Police Gambling Control Unit~~ to conduct or operate a game of ~~chance~~ under this chapter or any such person, firm, corporation, association or organization authorized under this chapter to conduct or operate a game of ~~chance~~ shall permit inspection of any equipment, prizes, records or items and materials used or to be used in the conduct or operation of a game of ~~chance~~ under this chapter by

the ~~Chief of the State Police or the chief's authorized representative~~ Gambling Control Unit.

A firm, corporation, association or organization licensed or registered to conduct or operate a game of chance under this chapter shall permit at any time the Department of Public Safety or the city or town fire inspectors of the municipality in which the licensed or registered game is being conducted to enter and inspect the licensed premises where the game is being conducted.

**Sec. KKKKK-30. 17 MRSA §1843**, as amended by PL 2009, c. 487, Pt. A, §2, is amended to read:

### §1843. Rules

The ~~Chief of the State Police~~ Gambling Control Unit may adopt routine technical rules pursuant to Title 5, chapter 375, subchapter 2-A necessary for the administration and enforcement of this chapter and for the licensing, registration, conduct and operation of games of chance governed by this chapter. The ~~Chief of the State Police~~ Gambling Control Unit may regulate, supervise and exercise general control over the operation of such games. In establishing such rules, the ~~Chief of the State Police~~ Gambling Control Unit shall, in addition to the standards set forth in other provisions of this chapter, set forth conduct, conditions and activity considered undesirable, including:

1. **Fraud.** The practice of any fraud or deception upon a participant in a game of chance governed by this chapter;

2. **Unsafe premises.** The conduct of a game of chance governed by this chapter in or at premises that may be unsafe due to fire hazard or other such conditions;

3. **Advertising and solicitation.** Advertising that is obscene or solicitation on a public way of persons to participate in a game of chance governed by this chapter;

4. **Organized crime.** Infiltration of organized crime into the operation of games of chance governed by this chapter or into the printing or distributing of gambling materials;

5. **Disorderly persons.** Presence of disorderly persons in a location where a game of chance governed by this chapter is being conducted;

6. **Leasing of equipment.** Leasing of equipment by a licensee or registrant used in the operation of games of chance governed by this chapter not in accordance with this chapter; and

7. **Bona fide nonprofit organization.** The establishment of organizations that exist primarily to operate games of chance governed by this chapter and do not have a bona fide nonprofit charitable, educational,

political, civic, recreational, fraternal, patriotic, religious or public safety purpose.

The ~~Chief of the State Police~~ Gambling Control Unit shall provide a mechanism for individuals and businesses to request a determination from the ~~State Police~~ Gambling Control Unit as to whether a particular game, contest, scheme or device qualifies as a game of chance or a game of skill.

**Sec. KKKKK-31. 17 MRSA §2306**, as amended by PL 2009, c. 487, Pt. B, §9, is further amended to read:

### §2306. Exemptions; lotteries

Any person, firm, corporation, association or organization licensed or registered by the ~~Chief of the State Police~~ Gambling Control Unit as provided in chapter 62 or authorized to conduct a raffle without a license registering as provided in section ~~1837~~ 1837-A, is exempt from the application of this chapter insofar as the possession of raffle tickets, gambling apparatus and implements of gambling that are permitted within the scope of the license or licenses issued registration, and all persons are exempt from this chapter insofar as gambling or possession of raffle tickets is concerned, if the gambling and possession is in connection with a game of chance licensed as provided operated in accordance with chapter 62 or a raffle conducted without a license registration as authorized by section ~~1837~~ 1837-A.

**Sec. KKKKK-32. 17-A MRSA §951**, as amended by PL 2009, c. 487, Pt. B, §10, is further amended to read:

### §951. Inapplicability of chapter

Any person licensed or registered by the ~~Chief of the State Police~~ Gambling Control Unit as provided in Title 17, chapter 13-A or chapter 62, or authorized to operate or conduct a raffle pursuant to Title 17, section ~~1837~~ 1837-A, is exempt from the application of the provisions of this chapter insofar as that person's conduct is within the scope of the license or registration.

**Sec. KKKKK-33. Authority to administer and enforce, and make necessary technical changes to, existing games of chance rules and regulations.** Notwithstanding any other provision of law, games of chance rules that have been adopted by the Department of Public Safety, Bureau of State Police pursuant to the Maine Revised Statutes, Title 17, chapter 62 may be administered and enforced by the Gambling Control Unit upon the effective date of this Act. To the extent necessary to make such rules consistent with the intent of this Part, the Gambling Control Unit may make technical amendments to the rules and regulations without having to engage in rulemaking pursuant to the Maine Administrative Procedure Act.

**PART LLLLL**

**Sec. LLLLL-1. 25 MRSA §2396, sub-§7**, as amended by PL 2003, c. 42, §1, is further amended to read:

**7. Other duties.** The performance of such other duties as are set forth in this and other sections of the statutes and as may be conferred or imposed from time to time by law. The State Fire Marshal, the State Fire Marshal's deputy and investigators appointed under this Title shall carry out those functions that the Commissioner of Public Safety may direct and in so doing have the same enforcement powers and duties throughout the State as sheriffs have in their respective counties. A public safety inspector for the purpose of enforcing section 2452, relating to statewide enforcement powers of the National Fire Protection Association No. 101, Life Safety Code, has the right to execute or serve criminal and civil violation process against offenders who violate the National Fire Protection Association No. 101, Life Safety Code.

**PART MMMMM**

**Sec. MMMMM-1. 25 MRSA §2450, first ¶**, as amended by PL 2009, c. 364, §3, is further amended to read:

The Commissioner of Public Safety shall adopt, in accordance with requirements of the Maine Administrative Procedure Act, a schedule of fees for the examination of all plans for construction, reconstruction or repairs submitted to the Department of Public Safety. ~~The fee schedule for new construction or new use is 5¢ per square foot for occupied spaces and 2¢ per square foot for bulk storage occupancies, except that a fee for review of a plan for new construction by a public school may not exceed \$450. The fee schedule for reconstruction, repairs or renovations is based on the cost of the project and may not exceed \$450, except as provided in section 2450-A. The fee schedule for new construction, reconstruction, repairs or renovations is 1.5/10 of 1% of the cost to construct or reconstruct the portion of the project that is subject to State Fire Marshal review.~~ Except for projects reviewed by a municipality pursuant to section 2448-A, the fees must be credited to a special revenue account to defray expenses in carrying out this section. Any balance of the fees may not lapse, but must be carried forward as a continuing account to be expended for the same purpose in the following fiscal years. For projects reviewed by a municipality that include occupied spaces, a 1¢ fee per square foot must be remitted to the Department of Public Safety and a 4¢ fee per square foot must be paid to the municipality.

**PART NNNNN**

This Part left blank intentionally.

**PART OOOOO**

**Sec. OOOOO-1. Transfer; Gambling Control Board; General Fund.** Notwithstanding any other provision of law, the State Controller shall transfer \$2,000,000 in unexpended funds from the Gambling Control Board program, Other Special Revenue Funds account in the Department of Public Safety to the General Fund unappropriated surplus by the end of fiscal year 2018-19.

**PART PTTTT**

**Sec. PTTTT-1. Debt service.** For the 2020-2021 biennial budget, the baseline appropriation for the Debt Service - UMS program within the University of Maine System is increased by \$3,000,000 per year for debt service costs to support a 10-year revenue bond to support the construction of an engineering building on the Orono campus of the University of Maine, with the first year of debt service starting in fiscal year 2019-20.

**PART QTTTT**

**Sec. QTTTT-1. 2 MRSA §6, sub-§2**, as amended by PL 2015, c. 267, Pt. HHH, §1 and Pt. RRR, §1, is further amended to read:

**2. Range 90.** The salaries of the following state officials and employees are within salary range 90:

- Superintendent of Financial Institutions;
- Superintendent of Consumer Credit Protection;
- State Tax Assessor;
- Associate Commissioner for Tax Policy, Department of Administrative and Financial Services;
- Superintendent of Insurance;
- Executive Director of the Maine Consumer Choice Health Plan;
- ~~Deputy Commissioner~~ Two deputy commissioners, Department of Administrative and Financial Services;
- Deputy Commissioner, Department of Corrections;
- Public Advocate;
- Two deputy commissioners, Department of Health and Human Services;
- Chief Information Officer;
- Associate Commissioner, Department of Corrections;
- Chief of the State Police; and
- Securities Administrator, Office of Securities.

**Sec. QTTTT-2. 5 MRSA §282, first ¶**, as amended by PL 2003, c. 673, Pt. C, §1, is further amended to read:

The commissioner may, with the approval of the Governor, appoint a deputy commissioner, who is the chief of one of the department bureaus and shall perform the duties of the commissioner during the commissioner's absence, in addition to the deputy commissioner's regular duties. The compensation and expense of the deputy commissioner is paid from any available funds appropriated for the use of the bureau of which the deputy commissioner is chief. The commissioner may appoint and employ the deputy commissioners, bureau chiefs and the assistant to the commissioner director of legislative affairs to be under the commissioner's immediate supervision, direction and control, and to serve at the commissioner's pleasure and perform such duties as the commissioner may prescribe, except as otherwise provided by law. In the absence of the commissioner, the commissioner, or the Governor if the commissioner is unable, may appoint one of the deputy commissioners to act on behalf of the commissioner. In addition, the commissioner may appoint an associate commissioner for administrative services who is not subject to the Civil Service Law and who serves at the pleasure of the commissioner.

**Sec. QQQQ-3. Department of Administrative and Financial Services; Bureau of General Services; reorganization.** The Commissioner of Administrative and Financial Services shall review those provisions of the Maine Revised Statutes governing the Bureau of General Services and, based upon that review, develop and submit a bill for introduction to the Second Regular Session of the 128th Legislature that reorganizes in statute the functions and activities of the Bureau of General Services and proposes any necessary budgetary changes. Prior to submitting a bill, the commissioner may organize the activities and functions of the Bureau of General Services in a manner the commissioner determines is most effective and efficient.

## PART RRRRR

**Sec. RRRRR-1. 7 MRSA §402-B** is enacted to read:

### §402-B. Annual General Fund transfer

On or before July 31st of each fiscal year, the State Controller shall transfer \$500,000 from General Fund undedicated revenue to the Agriculture Promotion Fund established in section 402-A.

## PART SSSSS

**Sec. SSSSS-1. 34-A MRSA §1406** is enacted to read:

### §1406. Authority to review financial records of counties as those records relate to corrections

**1. County jail records.** Notwithstanding any other provision of law to the contrary, the commissioner may inspect, review and take custody of rec-

ords of the counties as those records relate to the funding and operation of the county jails. Upon the request of the commissioner, a county jail within 15 days of the request shall supply complete and accurate information. The commissioner shall work with the jails to assist them in achieving compliance with the requirements of this subsection. The commissioner shall enforce the standards of this subsection by imposition of monetary penalties pursuant to policies and procedures under section 1208-B, subsection 1, paragraph B. This subsection must be liberally construed to effect the purpose of this section.

**2. Violation.** A state government agency or local government entity whose officer or employee violates subsection 1 commits a civil violation for which a fine of not more than \$5,000 may be adjudged.

**3. Appeal.** If the commissioner is aggrieved by a refusal or denial to inspect or copy a record or a failure to allow the inspection or copying of a record under this section, the commissioner may appeal the refusal, denial or failure within 30 calendar days of the receipt of the written notice of refusal, denial or failure to the Superior Court for the county where the person refusing, failing or denying the inspection or copying resides or the agency employing that person has its principal office. The agency or official shall file a statement of position explaining the basis for denial within 14 calendar days of service of the appeal. If a court, after a review, and taking of testimony and other evidence as determined necessary, determines the refusal, denial or failure was not for just and proper cause, the court shall enter an order for disclosure. Appeals may be advanced on the docket and receive priority over other cases when the court determines that the interests of justice so require.

**4. Proceedings not exclusive.** The proceedings authorized by this section are not exclusive of any other civil remedy provided by law.

**5. Attorney's fees.** In an appeal under subsection 3 or another civil proceeding, the court may award reasonable attorney's fees and litigation expenses to the substantially prevailing plaintiff who appealed pursuant to subsection 3 or in another civil proceeding if the court determines that the illegal action was committed in bad faith. Attorney's fees and litigation costs may not be awarded to or against a federally recognized Indian tribe.

**6. Subpoena power.** The commissioner may, in connection with the performance of the commissioner's duties, apply to the Superior Court for a subpoena to compel the attendance of witnesses and the production of books, papers, records and documents of individuals, firms, associations and corporations and all officers, boards, commissions and departments of county government. The court, before issuing the subpoena, shall provide adequate opportunity for the commissioner and the party against whom the sub-

poena is requested to be heard. The court may issue the subpoena only on a showing by the commissioner and specific findings of fact by the court that the attendance of the witness or the production of the books, papers, records or documents is reasonably necessary to carry out specific duties of the commissioner that are related to the operations and finances of the county jails and that the commissioner has made reasonable efforts to secure the attendance or the books, papers, rec-ords or documents without recourse to compulsory process.

**Sec. SSSSS-2. Report.** By February 15, 2018, the Department of Corrections shall submit a report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Criminal Justice and Public Safety on plans to restructure the funding and operation of county jails and correctional facilities and prisoner population and capacity. The Joint Standing Committee on Criminal Justice and Public Safety may report out legislation in the Second Regular Session of the 128th Legislature implementing the recommendations.

#### PART TTTTT

**Sec. TTTTT-1. 20-A MRSA §10952, sub-§§8 and 9,** as enacted by PL 1987, c. 735, §14, are amended to read:

**8. Execute contracts.** To make, enter into, execute, deliver and amend any and all contracts, agreements, leases, instruments and documents and perform all acts and do all things necessary or convenient to acquire, construct, reconstruct, improve, equip, finance, maintain and operate projects and to carry out the powers granted to this chapter, or reasonably implied from those powers; ~~and~~

**9. Maintain treasury.** To retain in its treasury:

A. All money received from the sale of all evidences of indebtedness issued under this chapter;

B. All fees, tuitions, rentals and other charges from students, faculty, staff members and others using or being served by, or having the right to use or the right to be served by, or to operate, any project;

C. All fees for student activities, student services and all other fees, tuitions and charges collected from students matriculated, registered or otherwise enrolled at and attending the university, pledged under the terms of any resolution authorizing financing transactions pursuant to this chapter; and

D. All rentals from any facility or building leased to the Federal Government or any other 3rd party; and

**Sec. TTTTT-2. 20-A MRSA §10952, sub-§10** is enacted to read:

**10. Taxable bond option.** To agree and consent to the inclusion of interest on any of its evidences of indebtedness, under the United States Internal Revenue Code of 1986 or any subsequent corresponding internal revenue law of the United States, in the gross income of the holders of any such evidences of indebtedness to the same extent and in the same manner that the interest on bills, bonds, notes or other obligations of the United States is includable in the gross income of the holders of such bills, bonds, notes or other obligations under the United States Internal Revenue Code or any such subsequent law.

**Sec. TTTTT-3. Maine Revised Statutes headnote amended; revision clause.** In the Maine Revised Statutes, Title 20-A, chapter 412, in the chapter headnote, the words "tax exempt borrowing authority for the University of Maine System" are amended to read "borrowing authority for the University of Maine System," and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

#### PART UUUUU

This Part left blank intentionally.

#### PART VVVVV

**Sec. VVVVV-1. 20-A MRSA §1051, sub-§6, ¶D** is enacted to read:

D. A group of school administrative units that have an interlocal agreement pursuant to Title 30-A, chapter 115 in order to establish a school management and leadership center to jointly purchase the services of a superintendent may elect the superintendent in the manner prescribed in their interlocal agreement.

**Sec. VVVVV-2. 20-A MRSA §1461-B, sub-§3, ¶B,** as enacted by PL 2009, c. 580, §5, is amended to read:

B. A plan for an alternative organizational structure ~~may include a collaborative agreement under chapter 114 and~~ must include an interlocal agreement under Title 30-A, chapter 115. The plan must include procedures for conducting a kindergarten to grade 12 budget approval pursuant to paragraph C.

**Sec. VVVVV-3. 20-A MRSA c. 113-A,** as amended, is repealed.

**Sec. VVVVV-4. 20-A MRSA c. 114,** as amended, is repealed.

**Sec. VVVVV-5. 20-A MRSA §2651, sub-§2,** as amended by PL 2015, c. 251, §4, is further amended to read:

**2. Use of fund.** The department shall award grants from the fund to school administrative units, municipalities, counties and groups of 2 or more such

entities, including such groups that have entered into a collaborative agreement pursuant to chapter 114, to fund the costs of implementing changes in governance, administrative structures or policies that result in the creation of consolidated school administrative units; purchasing alliances; innovative, autonomous public schools, teacher-led schools, innovative public school districts or innovative public school zones; regional delivery of collaborative programs and educational services; or collaborations of municipal-school service delivery or support systems, with the purpose of improving educational opportunity and student achievement. Grants must be used to implement changes that will be sustained by the school administrative unit, municipality or county without the need for additional grants from the fund or other sources.

**Sec. VVVVV-6. 20-A MRSA c. 123** is enacted to read:

## CHAPTER 123

### SCHOOL MANAGEMENT AND LEADERSHIP CENTERS

#### §3801. General provisions

**1. Definitions.** As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

A. "Municipality" means a city, town or organized plantation.

B. "School management and leadership center" means a multiservice agency established and operated exclusively for the purposes of developing, managing and providing services or programs to 2 or more members pursuant to section 3802, subsection 2 and may include associate members pursuant to section 3802, subsection 3. A "school management and leadership center" is a political subdivision pursuant to section 3802, subsection 7.

**2. Establishment.** A school administrative unit as described in section 3802, subsection 2 may become a member of a school management and leadership center through an interlocal agreement pursuant to Title 30-A, chapter 115 and the agreement may include associate members as described in section 3802, subsection 3.

**3. Interlocal agreement.** An interlocal agreement establishing a school management and leadership center must include the structure and governance of the school management and leadership center and its functions, programs and services.

A. An interlocal agreement must include the specifications required pursuant to Title 30-A, section 2203, subsection 2 and a description of:

(1) The school management and leadership center board composition, election or ap-

pointment of officers, board member terms and method of voting;

(2) An approval process for a new school administrative unit to join the school management and leadership center;

(3) An approval process for an existing member to transfer to another school management and leadership center;

(4) The process for determining the sharing of costs for and the assessments of or payments to the school management and leadership center;

(5) The budget process that requires a school management and leadership center budget be adopted by a date established in order to meet local school administrative unit budget deadlines. The budget process must include a contingency plan for a budget failure and must be in the cost center summary budget format pursuant to section 1485;

(6) The process for a balanced budget as required by section 3802, subsection 10 and the method of determining the return of any excess funds to the members of the school management and leadership center; and

(7) The process for the disposition of indebtedness and property including by sale or lease, transferred to or from or administered by the school management and leadership center.

B. An interlocal agreement may include but is not limited to a description of the following:

(1) The approval process for the formation of a school management and leadership center;

(2) Any associate members, the process for including associate members and their roles in the school management and leadership center;

(3) The process to authorize the school management and leadership center to borrow funds for school construction purposes including bonds and notes;

(4) The process to approve the purchase or lease of buildings or land by the school management and leadership center;

(5) The process by which a school management and leadership center may establish, maintain and expend funds from a reserve fund or contingency fund;

(6) The process of hiring an executive director for the school management and leadership center; and

(7) A transition plan to move authorized programs and services from a member to the school management and leadership center.

An interlocal agreement cannot transfer a school administrative unit's responsibility for providing the opportunity of a free public education to each of its students or a free, appropriate education to each of its students with a disability as required by this Title or by federal law.

**4. Duties of school management and leadership center.** A school management and leadership center's functions, programs and services may include but are not limited to the following:

- A. Accounting, payroll and financial management services and procurement;
- B. Transportation, transportation routing and vehicle maintenance;
- C. Reporting functions;
- D. Special education programs and administration;
- E. Gifted and talented programs and administration;
- F. Alternative education programs and administration;
- G. Substitute teachers and staff augmentation;
- H. Technology and technology support;
- I. Food service planning and purchasing;
- J. Energy management and facilities maintenance;
- K. Regional school leadership academies;
- L. Staff training and professional development;
- M. Shared educational programs or staff;
- N. Shared support service programs;
- O. Educational programs such as summer school, extended school year, tutoring, advanced placement and other programs that serve students and improve student achievement;
- P. Shared extracurricular or cocurricular programs; and
- Q. Superintendent services.

**§3802. School management and leadership center authorized**

A school management and leadership center shall provide administrative and education functions in accordance with this chapter and shall function as an extension of the member school administrative units and associate members of the school management and leadership center. A member school administrative unit of the school management and leadership center

cannot transfer the responsibility for providing the opportunity of a free public education to each of its students or a free, appropriate education to each of its students with a disability as required by this Title or by federal law.

**1. Geographic boundaries.** The commissioner shall determine 9 to 12 geographic areas for the establishment of each school management and leadership center. Membership in a particular school management and leadership center does not require the member to be physically located in the school management and leadership center's geographic boundary.

**2. Members.** Members in a school management and leadership center must be determined by interlocal agreement pursuant to Title 30-A, chapter 115 and may include the following types of school administrative units:

- A. Community school districts pursuant to chapter 105;
- B. Municipal school units pursuant to chapter 111;
- C. Regional school units pursuant to chapter 103-A;
- D. School administrative districts pursuant to chapter 103; and
- E. Schools established on tribal lands pursuant to Title 30, chapter 601.

**3. Associate members.** Associate members for a school management and leadership center may include the following through a contractual agreement or memorandum of understanding with the members of the school management and leadership center:

- A. Career and technical education regions pursuant to chapter 313, subchapter 4;
- B. Public charter schools as defined in chapter 112;
- C. Providers of child development services pursuant to chapter 303;
- D. Magnet schools pursuant to chapters 312 and 312-A;
- E. The Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf pursuant to chapter 304;
- F. Providers of education in the unorganized territory pursuant to chapter 119; or
- G. Municipalities and counties pursuant to Title 30-A.

**4. Provision of services to or from other public entities or nonprofit entities.** A school management and leadership center may provide services to or purchase services from other types of political subdivi-

sions, public entities or nonprofit organizations or associations.

**5. Purchase of services from another school management and leadership center.** A member of a school management and leadership center may purchase services from another school management and leadership center if not provided by the member's school management and leadership center.

**6. Validation.** A school management and leadership center authorized and organized under this chapter is validated, confirmed, approved and declared legal in all respects, notwithstanding any defect or irregularity that may have occurred in the organization of the school management and leadership center or in the selection of the board of that school management and leadership center.

**7. Political subdivision.** A school management and leadership center is a political subdivision within the meaning of Title 5, section 19002, subsection 6 and a quasi-municipal corporation within the meaning of Title 30-A, section 5701, and all the provisions of those sections apply to it. Notwithstanding Title 30-A, section 2203, subsection 8, paragraph B, the members of a school management and leadership center may delegate eminent domain power to the school management and leadership center by agreement. A school management and leadership center is considered a tax-exempt governmental entity for the purposes of Title 36, section 1760, subsection 2.

**8. Executive director.** A school management and leadership center shall employ an executive director, and the interlocal agreement under section 3801, subsection 3 must specify that the executive director shall administer, in compliance with this chapter, the provisions of the interlocal agreement in the school management and leadership center.

**9. Personnel.** The executive director of a school management and leadership center may employ a chief financial officer and may employ additional staff necessary to administer the functions assigned to the school management and leadership center through the provisions of the interlocal agreement under section 3801, subsection 3.

**10. Balanced budget.** A school management and leadership center must have a balanced budget and return excess funds to the members as prescribed by the interlocal agreement under section 3801, subsection 3.

**11. Authority to borrow, expend and accept funds.** A school management and leadership center may:

A. Borrow funds in anticipation of a member's payment of its share of the school management and leadership center budget. Such borrowing:

(1) Must be repaid within one year; and

(2) May not at any time exceed 3/4 of the school management and leadership center's annual approved budget;

B. Expend available funds to pay debt service, security and maintenance costs; and

C. Accept and expend funds from state, federal and other sources and expend those funds on behalf of the members.

**12. Bonding authority.** A school management and leadership center may issue bonds and notes for school construction purposes. For purposes of this section, "school construction purposes" includes minor capital costs relating to maintenance of a school's physical plant. The school management and leadership center board shall decide whether the issuance of bonds or notes by the school management and leadership center for school construction purposes is necessary. The board shall determine whether the issuance of bonds or notes is authorized, and, if so, the board shall issue the bonds or notes and administer the proceeds of, and the payment of principal of and interest on, those bonds or notes after issuance. A school management and leadership center may issue bonds and notes for school construction purposes only under the provisions of the interlocal agreement under section 3801, subsection 3.

**13. Withdrawal from school management and leadership center.** If a single school administrative unit applies to withdraw, it must demonstrate to the commissioner that as a result of the school administrative unit's withdrawing that there will be no increase in costs or decrease in student programs and services for the withdrawing school administrative unit and for any of the remaining member school administrative units of the school management and leadership center.

**14. Dissolution of school management and leadership center.** A school management and leadership center may not be dissolved unless it applies to the commissioner for approval and:

A. All member school administrative units apply to transfer to another school management and leadership center; or

B. If all the member school administrative units of a school management and leadership center apply to dissolve the school management and leadership center, they demonstrate to the commissioner that there will be no increase in costs or decrease in student programs and services for any of the member school administrative units of the school management and leadership center.

**15. Reporting requirements.** A school management and leadership center must meet state and federal reporting requirements on behalf of each member school administrative unit.

**§3803. Oversight**

The commissioner shall provide oversight of the school management and leadership centers, and this oversight must include the following.

**1. Data collection; monitoring.** The commissioner or the commissioner's designee is responsible for collecting, analyzing and reporting data from school management and leadership centers. The commissioner or the commissioner's designee shall monitor the performance and legal compliance of the school management and leadership centers, including collecting and analyzing data to support ongoing evaluation of the school management and leadership centers.

**2. Notification of unsatisfactory performance or compliance.** If a school management and leadership center's performance or legal compliance appears unsatisfactory, the commissioner shall promptly provide written notice to the school management and leadership center and its members of perceived problems and provide reasonable opportunity for the school management and leadership center to remedy the problems. The school management and leadership center shall provide the commissioner a corrective action plan to remedy the problems.

**§3804. Audit**

A school management and leadership center shall adhere to generally accepted accounting principles and shall annually engage an external auditor to do an independent audit of the school management and leadership center's finances. The school management and leadership center shall submit the audit to its members and to the department. The audit must be conducted in the same manner as a school administrative unit audit in accordance with chapter 221, subchapter 2.

**§3805. Application for and approval of a school management and leadership center**

**1. Application.** The commissioner shall establish an application process under this chapter for the formation of a school management and leadership center. The application 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 school management and leadership center;
- B.** The specified structure and governance of the school management and leadership center and its purposes, functions, programs and services;
- C.** How any savings resulting from the formation of the school management and leadership center will be used; and
- D.** A copy of the proposed interlocal agreement pursuant to section 3801, subsection 3.

**2. Commissioner's approval.** If an application under this section contains the information required pursuant to subsection 1, the commissioner shall notify each school administrative unit participating in the school management and leadership center that, pending voter approval as set forth in subsection 3, the school management and leadership center is approved pursuant to this chapter. The commissioner shall keep a register of school management and leadership centers that have been approved pursuant to this chapter.

**3. Voter approval.** If the commissioner approves an application for a school management and leadership center pursuant to subsection 2, the school management and leadership center must receive voter approval using the process specified in the interlocal agreement pursuant to section 3801, subsection 3, paragraph B, subparagraph (1).

**§3806. Direct state funding of a school management and leadership center**

A school management and leadership center receives direct state funds for start-up costs in accordance with section 15689, subsection 9. A school management and leadership center that provides to members at least 2 different services covering a total of at least 2 different categories as specified in section 15683-C, subsection 2 must receive annual support for 55% of the executive director's salary and benefits, an accounting and payroll system and a student information system.

The school administrative units that are members of a school management and leadership center must receive state funds in accordance with section 15683-C.

**§3807. Regional school leadership academies**

A regional school leadership academy is a professional development consortium that combines state and local programs and resources, including the preparation, licensure, certification, professional development and training for educational leadership, into a coherent system that can significantly improve the recruitment and preparation of prospective candidates for school principals and other school leadership positions, as well as the induction, mentoring and retention of principals and school leaders during the first 2 years of employment in their school leadership positions. The mission of an academy may be to enhance the quality of the preservice and in-service staff training programs for school principals and other school leadership positions, to improve the distribution, supply and quality of school leadership personnel in underserved school administrative units in the State and to develop appropriate professional development pathways at participating schools in the academy. To fulfill its mission, the academy may work in coordination with educational leadership mentors and coaches, with high-performing educational leaders and with educator

preparation programs and statewide education associations.

**Sec. VVVVV-7. 20-A MRSA §5205, sub-§6-B** is enacted to read:

**6-B. School management and leadership center enrollment policies.** Members in a school management and leadership center, as defined in section 3801, subsection 1, paragraph B, may adopt a mutual policy allowing the transfer of students, with parental approval, among the member school administrative units. The mutual policy must set forth procedures and standards governing the transfers, including but not limited to the school year or years in which the policy applies, application procedures and standards of responsibility for transportation and special education. Each member school board that adopts the mutual policy under this subsection shall post a copy of the mutual policy on the school administrative unit's publicly accessible website and shall provide timely notice of the policy to residents of the school administrative unit governed by that school board. For the purposes of chapter 606-B, a student transferred under this subsection is considered a resident of the school administrative unit to which the student transferred.

**Sec. VVVVV-8. 20-A MRSA §6202, sub-§1-A**, as amended by PL 2009, c. 154, §3, is further 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 ~~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. VVVVV-9. 20-A MRSA §15672, sub-§2-A, ¶B**, as amended by PL 2007, c. 111, §3, is further amended to read:

B. Lease costs for school buildings when the leases, including leases under which the school administrative unit may apply the lease payments to the purchase of portable, temporary classroom space, have been approved by the commissioner for the year prior to the allocation year. Lease costs include costs for leasing:

(1) Administrative space. A school administrative unit engaged in a state-approved lease-purchase agreement for administrative space is eligible for state support until July 1, 2008;

(2) Temporary and interim instructional space. Temporary space is instructional space consisting of one or more mobile or modular buildings that are portable, that are constructed on- or off-site and that can be disassembled and moved economically to a new location. Interim instructional space is fixed instructional space that a school administrative unit rents for a defined period of time and then vacates at the end of the lease.

(a) A school administrative unit with state-approved need for instructional space may lease temporary or interim space, with state support, for a maximum of 5 years. A school administrative unit may appeal to the commissioner if this limitation presents an undue burden. When making a determination on a school administrative unit's request for relief based on undue burden, the commissioner may consider, but is not limited to considering, the following:

(i) Fiscal capacity;

(ii) Enrollment demographics; and

(iii) Unforeseen circumstances not within the control of the appealing school administrative unit.

An extension granted by the commissioner beyond the 5-year maximum for state support is limited to a period of one year. Any additional request for extensions must be submitted and reviewed on an annual basis. The commissioner's decision is final.

(b) A school administrative unit with state-approved need for instructional space may engage in a lease-purchase agreement for temporary or interim instructional space with state support for a maximum of 5 years; ~~and~~

(3) Permanent small instructional space that replaces existing approved leased temporary or interim instructional space. Permanent small instructional space consists of new buildings or additions to existing buildings that are secured to a permanent foundation. Once an existing leased temporary or interim instructional space has been replaced by a permanent small instructional space through an approved financing agreement, that space is eligible for state support for a maximum of 10 years; and

(4) Regional programs and services space. A school administrative unit engaged in a state-approved lease-purchase agreement for re-

gional programs and services space that serves students from 2 or more school administrative units is eligible for state support for a maximum of 5 years.

The department shall adopt rules necessary to implement this paragraph. Rules adopted by the department to implement this paragraph are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A; and

**Sec. VVVVV-10. 20-A MRSA §15683-C** is enacted to read:

**§15683-C. School management and leadership center members; calculation of school management and leadership center administration allocation and state contribution**

Beginning with fiscal year 2018-19, this section applies to school administrative units that are members of school management and leadership centers pursuant to chapter 123.

**1. Calculation of school management and leadership center per-pupil rate.** The commissioner shall calculate a per-pupil amount for school management and leadership center administration. The per-pupil amount for school management and leadership center administration is based on the actual General Fund expenditures for school administrative units with 2,500 students or more for the functions of school boards, elections and central offices, as defined in the State's accounting handbook for local school systems for the most recent year available, excluding expenditures for administrative technology-related software and less miscellaneous revenues from other local governments, divided by the average of October and April enrollment counts for that fiscal year and adjusted by appropriate trends in the Consumer Price Index or other comparable index.

**2. Categories of services of school management and leadership center.** The following are the categories of services that a school administrative unit that is a member of a school management and leadership center pursuant to chapter 123 may purchase for funding purposes under section 3806.

A. Category 1, appropriate instructional services in the least restrictive settings that comply with federal regulations and state rules, including:

- (1) Special education programs and administration;
- (2) Gifted and talented programs and administration;
- (3) Alternative education programs and administration;
- (4) Shared educational programs or staff; and

(5) Educational programs such as summer school, extended school year, tutoring, advanced placement and other programs that serve students and improve student achievement.

B. Category 2, education support services, including the following services:

- (1) Substitute teachers and staff augmentation;
- (2) Technology and technology support;
- (3) Staff training and professional development;
- (4) Regional school leadership academies;
- (5) Shared support services programs; and
- (6) Shared extracurricular or cocurricular programs.

C. Category 3, central office services, including the following services:

- (1) Accounting, payroll, financial management services and procurement;
- (2) Reporting functions;
- (3) Food service planning and purchasing; and
- (4) Superintendent services.

D. Category 4, facilities and transportation system services, including the following services:

- (1) Transportation, transportation routing and vehicle maintenance; and
- (2) Energy management and facilities maintenance.

**3. Eligibility for school management and leadership center allocation.** The commissioner shall determine that a school administrative unit is eligible for a school management and leadership center allocation if according to its school management and leadership center interlocal agreement pursuant to section 3801, subsection 3, the school administrative unit purchases at least 2 different services covering a total of at least 2 different categories from the school management and leadership center as specified in subsection 2.

**4. Total allocation and state contribution.** The commissioner shall determine an eligible school administrative unit's total school management and leadership center allocation under subsection 3 as the school management and leadership center per-pupil rate in subsection 1 multiplied by the school administrative unit's subsidizable pupil count for October 1st of the most recent calendar year prior to the year of funding. The state contribution for each school administrative unit's school management and leadership

center allocation is the allocation multiplied by the school administrative unit's state share percentage pursuant to section 15672, subsection 31, not to exceed 70% and not less than 30%.

**Sec. VVVVV-11. 20-A MRSA §15689, sub-§9,** as enacted by PL 2007, c. 240, Pt. D, §6, is amended to read:

**9. Regionalization, consolidation and efficiency assistance adjustment.** The commissioner may expend and disburse funds limited to the amount appropriated by the Legislature to carry out the purposes of promoting regionalization, consolidation and efficiency. These funds ~~must~~ may be an adjustment to the qualifying school administrative unit's state allocation. The commissioner may also expend and disburse these funds as follows:

A. For direct contractual agreements to provide legal services, facilitation services and other services to assist a school administrative unit with planning and implementing regionalization, consolidation and efficiencies;

B. For direct support to school management and leadership centers established pursuant to chapter 123 including those costs specified in section 3806; and

C. For department costs incurred for the review of applications and interlocal agreements for school management and leadership centers under chapter 123.

**Sec. VVVVV-12. 20-A MRSA §15689-A, sub-§27** is enacted to read:

**27. Regional school leadership academies.** Beginning in fiscal year 2018-19, the commissioner may expend and disburse funds to support the establishment of regional school leadership academies pursuant to chapter 123.

**Sec. VVVVV-13. Role of the Department of Education.** In order to provide for the orderly implementation of this Part, the Department of Education shall develop an application form for the formation of a school management and leadership center under the Maine Revised Statutes, Title 20-A, section 3805 and convene an application review team. Funds from the Maine Revised Statutes, Title 20-A, section 15689, subsection 9 may be used for the necessary expenses of the department in the development and administration of school management and leadership centers.

**Sec. VVVVV-14. Effective date.** Those sections of this Part that repeal the Maine Revised Statutes, Title 20-A, chapters 113-A and 114 and amend Title 20-A, section 1461-B, subsection 3, paragraph B; section 2651, subsection 2; and section 6202, subsection 1-A take effect June 30, 2020.

**PART WWWW**

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**PART XXXX**

**Sec. XXXX-1. 20-A MRSA §2405, sub-§9,** as amended by PL 2011, c. 570, §8, is further amended to read:

**9. Transition period.** The public charter school program set out in this chapter must begin with a 10-year transition period, beginning on the effective date of this chapter. During the transition period, the commissioner shall register the charters approved by all authorizers in chronological order by date of approval under this chapter. During the transition period, ~~only no more than 10 public charter schools may be approved by the commission~~ may operate at any time. ~~Once~~ Any time the cap is reached, the commissioner may not accept further registrations from the commission and only local school boards and collaborators of local school boards may approve charters until the end of the transition period.

This subsection is repealed July 1, 2022.

**PART YYYY**

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**PART ZZZZ**

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**PART AAAAA**

**Sec. AAAAA-1. 20-A MRSA §7209, sub-§3-A, ¶¶F and G,** as enacted by PL 2011, c. 655, Pt. OO, §4, are amended to read:

F. Coordinate with eligible families the development of individualized family service plans for children with disabilities from birth to 2 years of age or coordinate an individualized education program for a child 3 years of age to under 6 years of age; ~~and~~

G. Ensure that children from birth until 6 years of age who are referred to the Child Development Services System also receive appropriate referrals for support outside of the system, including appropriate public and private programmatic resources, regardless of a child's eligibility for early intervention or free, appropriate public education; and

**Sec. AAAAA-2. 20-A MRSA §7209, sub-§3-A, ¶H** is enacted to read:

H. Engage in appropriate training and staff development for identification of and to provide intervention services for children with autism.

**PART BBBB**

This Part left blank intentionally.

**PART CCCCCC**

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**PART DDDDDD**

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**PART EEEEEEE**

**Sec. EEEEEEE-1. Department of Education; review and initiative to address truancy.**

The Department of Education shall review the regional work of Count ME In, a public-private partnership focused on positive consistent attendance in school through all grade levels. The health team within the Department of Education shall undertake a comprehensive attendance initiative, looking at a holistic approach to supportive services to children to ensure they are attending school and receiving the necessary supports for positive educational outcomes. The department shall report to the Joint Standing Committee on Education and Cultural Affairs on the status of this work by January 31, 2018.

**PART FFFFFFF**

This Part left blank intentionally.

**PART GGGGGG**

**Sec. GGGGGG-1. 5 MRSA §1591, sub-§2, ¶¶H and I,** as enacted by PL 2015, c. 267, Pt. VV, §3, are amended to read:

H. Any balance remaining in the Bridging Rental Assistance Program, General Fund account at the end of any fiscal year to be carried forward for use in the next fiscal year for the same purpose; ~~and~~

I. Any balance remaining in the Consumer-directed Services program, General Fund account at the end of any fiscal year to be carried forward for use by this program in the next fiscal year; ~~and~~

**Sec. GGGGGG-2. 5 MRSA §1591, sub-§2, ¶¶J** is enacted to read:

J. Any balance remaining in the Office of Substance Abuse and Mental Health Services program, General Fund account at the end of any fiscal year to be carried forward for use by this program in the next fiscal year.

**PART HHHHHH**

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**PART IIIII**

**Sec. IIIII-1. Opioid diversion prevention grant.**

The Department of Health and Human Services shall establish criteria for a grant to be awarded to a provider of services that alert dispensers or prescribers, as those terms are defined in the Maine Revised Statutes, Title 22, section 7246, subsections 2

and 5, respectively, to the drug-related criminal background of patients and shall award the grant to the applicant most closely fitting those criteria.

**PART JJJJJJ**

**Sec. JJJJJJ-1. Transfer of Personal Services balances to All Other; Office for Family Independence program; Office for Family Independence - District program.**

Notwithstanding any other provision of law to the contrary, in fiscal years 2017-18 and 2018-19 only, the Department of Health and Human Services is authorized to transfer available balances of Personal Services appropriations in the Office for Family Independence program and the Office for Family Independence - District program, after all financial commitments for salary, benefit and other obligations and budgetary adjustments have been made, to the All Other line category in either the Office for Family Independence program or the Office for Family Independence - District program in order to provide funding for information technology and related services. These amounts may be transferred by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

**PART KKKKKK**

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**PART LLLLLL**

**Sec. LLLLLL-1. Increase in fees for testing weighing and measuring devices.**

The Commissioner of Agriculture, Conservation and Forestry shall adjust the fees for testing weighing and measuring devices pursuant to the Maine Revised Statutes, Title 10, section 2701, in a manner considered most appropriate by the commissioner, to generate additional undedicated revenue to the General Fund of \$100,000 annually, beginning in fiscal year 2017-18.

**PART MMMMMM**

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**PART NNNNNN**

**Sec. NNNNNN-1. Transfer to Maine Clean Election Fund.**

Notwithstanding the Maine Revised Statutes, Title 21-A, section 1124, subsection 2, paragraph B, the State Controller shall transfer \$3,000,000, currently authorized to be transferred on or before January 1, 2019, from the General Fund to the Maine Clean Election Fund on or before June 1, 2018.

**PART OOOOOO**

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**PART PPPPPP**

**Sec. PPPPPP-1. 12 MRSA §1802**, as amended by PL 2007, c. 240, Pt. NN, §1; PL 2011, c. 657, Pt. W, §§5 and 7; and PL 2013, c. 405, Pt. A, §24, is further amended to read:

**§1802. Bureau of Parks and Lands established**

There is established within the Department of Agriculture, Conservation and Forestry the Bureau of Parks and Lands, which shall carry out the responsibilities of State Government relating to parks, historic sites, submerged and intertidal lands, public reserved lands and nonreserved public lands. ~~The bureau shall also carry out all the duties relating to recreation, the Allagash Wilderness Waterway, the Snowmobile Trail Fund, public facilities for boats, the ATV Recreational Management Fund, the Maine Trails System, the Maine Conservation Corps, the State Environmental Resource Volunteer Effort Program and any other responsibilities of the former Bureau of Parks and Recreation, Bureau of Public Lands and Maine State Park and Recreation Commission.~~

~~The executive head of the bureau is the director. The director is assisted in executive duties by a deputy director. The director and the deputy director shall attend personally to the duties of their offices as far as practicable. The director and the deputy director are appointed by and serve at the pleasure of the commissioner.~~

**1. Director.** The executive head of the bureau is the director.

A. The powers and duties of the position of director may not be combined with any other position within the bureau or department.

B. The position of director may not be filled in an acting capacity; the appointee must be a permanent full-time employee.

**2. Deputy director.** The director is assisted in executive duties by a deputy director.

**3. Personal attendance to duties.** The director and the deputy director shall attend personally to the duties of their offices as far as practicable.

**4. Appointment.** The director and the deputy director are appointed by and serve at the pleasure of the commissioner.

**PART QQQQQQ**

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**PART RRRRRR**

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**PART SSSSSS**

**Sec. SSSSSS-1. 22 MRSA §3174-T, sub-§2, ¶C**, as reallocated by RR 1997, c. 2, §46, is amended to read:

C. All children resident in the State are eligible except a child who:

(1) Is eligible for coverage under the Medicaid program;

(2) Is covered under a group health insurance plan or under health insurance, as defined in Section 2791 of the federal Public Health Service Act, 42 United States Code, Section 300gg(c) (Supp. 1997);

~~(3) Is a member of a family that is eligible under Title 5, section 285 for health coverage under the state employee health insurance program;~~

(4) Is an inmate in a public institution or a patient in an institution for mental diseases; or

(5) Within the 3 months prior to application for coverage under the Cub Care program, was insured or otherwise provided coverage under an employer-based health plan for which the employer paid 50% or more of the cost for the child's coverage, except that this subparagraph does not apply if:

(a) The cost to the employee of coverage for the family exceeds 10% of the family's income;

(b) The parent lost coverage for the child because of a change in employment, termination of coverage under the Consolidated Omnibus Budget Reconciliation Act of 1985, COBRA, of the Employee Retirement Income Security Act of 1974, as amended, 29 United States Code, Sections 1161 to 1168 (Supp. 1997) or termination for a reason not in the control of the employee; or

(c) The department has determined that grounds exist for a good-cause exception.

**PART TTTTTT**

**Sec. TTTTTT-1. Adjustment of salary schedules for fiscal year 2017-18.** Beginning the pay week commencing closest to August 1, 2017, the salary schedules, grades and stipends for the Judicial Department employees in the administrative services bargaining unit, the supervisory services bargaining unit, the law enforcement bargaining unit and the professional services bargaining unit must be adjusted according to the respective collective bargaining agreements. The salary schedules, grades and stipends

must be adjusted consistent with the terms of any tentative agreements ratified prior to September 30, 2017.

**Sec. TTTTTT-2. Adjustment of salary schedules beginning January 1, 2019.** Beginning the pay week commencing closest to January 1, 2019, the salary schedules, grades and stipends for the Judicial Department employees in the administrative services bargaining unit, the supervisory services bargaining unit, the law enforcement bargaining unit and the professional services bargaining unit must be adjusted according to the respective collective bargaining agreements. The salary schedules, grades and stipends must be adjusted consistent with the terms of any tentative agreements ratified prior to September 30, 2017.

**Sec. TTTTTT-3. Other employees; similar and equitable treatment.** Employees of the Judicial Department who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 1282, subsection 5, paragraphs B, C, D, E, F and G must be given treatment similar and equitable on a pro rata basis to that given employees covered by the collective bargaining agreements.

**Sec. TTTTTT-4. Costs to General Fund.** Costs to the General Fund must be provided in the Salary Plan program, General Fund account in the Department of Administrative and Financial Services in the amount up to \$1,247,177 for the fiscal year ending June 30, 2018 and in the amount up to \$2,657,895 for the fiscal year ending June 30, 2019 to implement the economic terms of the collective bargaining agreements made between the Judicial Department and the Maine State Employees Association for the administrative services bargaining unit, the supervisory services bargaining unit, the law enforcement bargaining unit and the professional services bargaining unit and for the costs of those Judicial Department employees referred to in section 3, who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 1282, subsection 5. Positions supported from sources of funding other than the General Fund must be funded from those other sources.

**Sec. TTTTTT-5. Contingent effective date.** This Part takes effect only upon ratification of the collective bargaining agreements made between the Judicial Department and the Maine State Employees Association for the administrative services bargaining unit, the supervisory services bargaining unit, the law enforcement bargaining unit and the professional services bargaining unit tentatively agreed to as of April 2017. In the event that one or more bargaining units fail to ratify the collective bargaining agreement, this Part will be effective only for those bargaining units ratifying the agreement, as well as for the employees identified in section 3 of this Part.

**PART UUUUUU**

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**PART VVVVVV**

**Sec. VVVVVV-1. Working capital advance to Board of Complementary Health Care Providers.** No later than October 15, 2017, the Commissioner of Professional and Financial Regulation shall provide a working capital advance of \$57,368 from unobligated balances within the Licensing and Enforcement program, Other Special Revenue Funds account from licensing, registration and other fees of professions licensed, certified or registered within the Office of Professional and Occupational Regulation to the Board of Complementary Health Care Providers for the initial costs for establishing a licensing requirement for individuals practicing midwifery in the State and shall provide an accounting of the source or sources of the working capital advance to the State Controller. The commissioner shall provide a report to the State Controller of the transfers necessary to implement the working capital advance pursuant to this section.

**Sec. VVVVVV-2. Repayment of working capital advance to Board of Complementary Health Care Providers.** The Commissioner of Professional and Financial Regulation shall ensure that licensing and other fees for individuals practicing midwifery in the State collected by the Board of Complementary Health Care Providers are sufficient to ensure repayment of the working capital advance provided in section 1 of this Part and that the working capital advance is repaid from those fees on or before June 30, 2019. The commissioner shall provide a report to the State Controller of the transfers necessary to repay the working capital advance pursuant to this section.

**PART WWWWWW**

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**PART XXXXXX**

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**PART YYYYYY**

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

**ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF**

**Office of Tourism 0577**

Initiative: Deallocates funds provided in Part ZZZZZZ of this Act related to increasing the sales tax on lodging from 9% to 10.5%.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$0	(\$250,150)

OTHER SPECIAL	\$0	(\$250,150)
REVENUE FUNDS TOTAL		

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

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

**Temporary Assistance for Needy Families 0138**

Initiative: Provides allocation for additional Head Start services.

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$575,000	\$575,000
FEDERAL BLOCK GRANT FUND TOTAL	\$575,000	\$575,000

**PART ZZZZZZ**

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

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Accident - Sickness - Health Insurance 0455**

Initiative: Deappropriates and deallocates funds for savings achieved through transferring children from the state employee health plan to the State Children's Health Insurance Program.

GENERAL FUND	2017-18	2018-19
All Other	(\$784,935)	(\$1,046,580)
GENERAL FUND TOTAL	(\$784,935)	(\$1,046,580)

HIGHWAY FUND	2017-18	2018-19
All Other	(\$23,684)	(\$31,578)
HIGHWAY FUND TOTAL	(\$23,684)	(\$31,578)

**Central Administrative Applications Z234**

Initiative: Deappropriates funds provided in Part A of this Act for the incremental contractual increases in maintaining the State's finance and accounting system.

GENERAL FUND	2017-18	2018-19
All Other	\$0	(\$300,000)

GENERAL FUND TOTAL	\$0	(\$300,000)
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**Debt Service - Government Facilities Authority 0893**

Initiative: Deappropriates funds to offset an appropriation contained in Part A of this Act related to funding for annual principal and interest payments on funds borrowed in support of capital construction and renovation of state facilities.

GENERAL FUND	2017-18	2018-19
All Other	\$0	(\$3,300,000)
GENERAL FUND TOTAL	\$0	(\$3,300,000)

**Debt Service - Government Facilities Authority 0893**

Initiative: Deappropriates funds to partially offset an appropriation contained in Part A of this Act related to debt service for the capital construction, repairs and improvements for the Department of Corrections pursuant to the Maine Revised Statutes, Title 4, section 1610-I.

GENERAL FUND	2017-18	2018-19
All Other	(\$367,457)	\$0
GENERAL FUND TOTAL	(\$367,457)	\$0

**Homestead Property Tax Exemption Reimbursement 0886**

Initiative: Appropriates funds to partially offset a deappropriation included in Part A of this Act to reflect a homestead property tax exemption of \$20,000 and a state reimbursement of 50% effective April 1, 2017 and \$20,000 with a state reimbursement of 62.5% effective April 1, 2018.

GENERAL FUND	2017-18	2018-19
All Other	\$10,450,000	\$25,100,000
GENERAL FUND TOTAL	\$10,450,000	\$25,100,000

**Information Services 0155**

Initiative: Adjusts funding to offset an initiative contained in Part B of this Act related to reclassifications.

OFFICE OF INFORMATION SERVICES FUND	2017-18	2018-19
Personal Services	\$64,170	\$70,298
All Other	(\$64,170)	(\$70,298)

OFFICE OF INFORMATION SERVICES FUND TOTAL	\$0	\$0
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**Information Services 0155**

Initiative: Adjusts funding contained in Part A of this Act to offset the transfer of all positions and All Other funding from the Federal Expenditures Fund, Other Special Revenue Funds and the Office of Information Services Fund in the Department of Administrative and Financial Services, Information Services program to the Federal Expenditures Fund, Other Special Revenue Funds and the Office of Information Services Fund in the new Department of Technology Services, Technology Services program. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$500	\$500
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$500</b>	<b>\$500</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$500</b>	<b>\$500</b>

OFFICE OF INFORMATION SERVICES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	475,500	475,500
Personal Services	\$47,736,567	\$48,801,411
All Other	\$7,535,440	\$7,535,440
<b>OFFICE OF INFORMATION SERVICES FUND TOTAL</b>	<b>\$55,272,007</b>	<b>\$56,336,851</b>

**Information Services 0155**

Initiative: Provides funding for annual principal and interest payments on funds borrowed in support of state technology infrastructure improvements and system purchases and enhancements.

GENERAL FUND	2017-18	2018-19
All Other	\$220,000	\$4,700,000
<b>GENERAL FUND TOTAL</b>	<b>\$220,000</b>	<b>\$4,700,000</b>

**Information Services 0155**

Initiative: Provides funds to offset a deallocation contained in Part A of this Act related to the elimination of one vacant Public Service Manager III position.

OFFICE OF INFORMATION SERVICES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$145,969	\$146,936
<b>OFFICE OF INFORMATION SERVICES FUND TOTAL</b>	<b>\$145,969</b>	<b>\$146,936</b>

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

Initiative: Deappropriates funds to partially offset an appropriation contained in Part A of this Act related to funding for repairs to state facilities.

GENERAL FUND	2017-18	2018-19
All Other	(\$2,000,000)	(\$2,000,000)
<b>GENERAL FUND TOTAL</b>	<b>(\$2,000,000)</b>	<b>(\$2,000,000)</b>

**Revenue Services, Bureau of 0002**

Initiative: Deappropriates funds to offset a portion of an appropriation contained in Part A of this Act that provides funding for projected increases in cybersecurity costs.

GENERAL FUND	2017-18	2018-19
All Other	\$0	(\$200,000)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$200,000)</b>

**Statewide Radio Network System 0112**

Initiative: Appropriates funds to offset a deappropriation contained in Part A of this Act related to the transfer of All Other funding from the Department of Administrative and Financial Services, Statewide Radio Network System program to the Department of Technology Services, Statewide Radio Network System program.

GENERAL FUND	2017-18	2018-19
All Other	\$6,699,151	\$6,699,151
<b>GENERAL FUND TOTAL</b>	<b>\$6,699,151</b>	<b>\$6,699,151</b>

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	\$14,216,759	\$29,652,571
<b>HIGHWAY FUND</b>	(\$23,684)	(\$31,578)
<b>FEDERAL EXPENDITURES FUND</b>	\$500	\$500
<b>OTHER SPECIAL REVENUE FUNDS</b>	\$500	\$500
<b>OFFICE OF INFORMATION SERVICES FUND</b>	\$55,417,976	\$56,483,787
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	\$69,612,051	\$86,105,780

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

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

**Division of Quality Assurance and Regulation 0393**

Initiative: Provides funding for one additional seed potato inspector position.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$67,024	\$70,200
<b>GENERAL FUND TOTAL</b>	\$67,024	\$70,200

**Division of Quality Assurance and Regulation 0393**

Initiative: Deallocates funds to offset a portion of allocations contained in Part A of this Act that provide funding to the Agriculture Promotion Fund.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$2,000,000)	(\$2,000,000)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	(\$2,000,000)	(\$2,000,000)

**Forest Health and Monitoring Z233**

Initiative: Deappropriates and deallocates funds to offset appropriations and allocations contained in Part A of this Act that reorganize one vacant Senior Planner position to a Planning and Research Associate I position and transfer and reallocate the position from

100% Other Special Revenue Funds in the Land Management and Planning program to 50% General Fund and 50% Federal Expenditures Fund in the Forest Health and Monitoring program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$34,437)	(\$36,208)
<b>GENERAL FUND TOTAL</b>	(\$34,437)	(\$36,208)
<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$34,431)	(\$36,204)
All Other	(\$890)	(\$936)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	(\$35,321)	(\$37,140)

**Land Management and Planning Z239**

Initiative: Allocates funds to offset deallocations contained in Part A of this Act that reorganizes one vacant Senior Planner position to a Planning and Research Associate I position and transfers and reallocates the position from 100% Other Special Revenue Funds in the Land Management and Planning program to 50% General Fund and 50% Federal Expenditures Fund in the Forest Health and Monitoring program.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$82,159	\$86,057
All Other	\$3,090	\$3,237
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	\$85,249	\$89,294

**Municipal Planning Assistance Z161**

Initiative: Appropriates and allocates funds to offset deappropriations and deallocations contained in Part A of this Act that reduces funding for municipal assistance grants.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$159,549	\$159,549
<b>GENERAL FUND TOTAL</b>	\$159,549	\$159,549

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$100,000	\$100,000
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$100,000</b>	<b>\$100,000</b>

**Parks - General Operations Z221**

Initiative: Increases funding for capital improvements to ensure roads, bridges, dams and buildings are safe for staff and public recreation in the Allagash Wilderness Waterway in fiscal year 2017-18 and fiscal year 2018-19.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$15,000	\$15,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$15,000</b>	<b>\$15,000</b>

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF DEPARTMENT TOTALS**

	2017-18	2018-19
<b>GENERAL FUND</b>	<b>\$192,136</b>	<b>\$193,541</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$64,679</b>	<b>\$62,860</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>(\$1,899,751)</b>	<b>(\$1,895,706)</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(\$1,642,936)</b>	<b>(\$1,639,305)</b>

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

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

**Bring College to ME Program Z168**

Initiative: Appropriates funds to offset a deappropriation contained in Part A of this Act that reduces funding for the Bring College to ME Program in fiscal year 2018-19.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$320,000
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$320,000</b>

**Bring College to ME Program Z168**

Initiative: Transfers funding from the Bring College to ME Program to the Maine Community College System - Board of Trustees program in fiscal year 2018-19.

GENERAL FUND	2017-18	2018-19
All Other	\$0	(\$320,000)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$320,000)</b>

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

Initiative: Provides additional one-time funds to continue current operations at Maine's 7 community colleges.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$3,180,000
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$3,180,000</b>

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

Initiative: Provides additional one-time funding for strategic initiatives related to occupational programming and statewide workforce development in fiscal years 2017-18 and 2018-19.

GENERAL FUND	2017-18	2018-19
All Other	\$100,000	\$1,300,000
<b>GENERAL FUND TOTAL</b>	<b>\$100,000</b>	<b>\$1,300,000</b>

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

Initiative: Transfers funding from the Bring College to ME Program to the Maine Community College System - Board of Trustees program in fiscal year 2018-19.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$320,000
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$320,000</b>

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

DEPARTMENT TOTALS	2017-18	2018-19
<b>GENERAL FUND</b>	<b>\$100,000</b>	<b>\$4,800,000</b>

<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$100,000</b>	<b>\$4,800,000</b>
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**Sec. ZZZZZZ-4. Appropriations and allocations.** The following appropriations and allocations are made.

**CORRECTIONS, DEPARTMENT OF**

**Adult Community Corrections 0124**

Initiative: Deappropriates funds to offset an appropriation contained in Part A of this Act that provides funding for electronic monitoring of 150 inmates.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$91,140)	(\$95,348)
All Other	(\$328,500)	(\$328,500)
<b>GENERAL FUND TOTAL</b>	<b>(\$419,640)</b>	<b>(\$423,848)</b>

**Correctional Medical Services Fund 0286**

Initiative: Deappropriates funds to partially offset an appropriation contained in Part A of this Act for the medical contract.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	(\$814,928)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$814,928)</b>

**Juvenile Community Corrections 0892**

Initiative: Transfers 3 Juvenile Community Reintegration Specialist positions to the Long Creek Youth Development Center program.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
Personal Services	(\$250,599)	(\$259,995)
<b>GENERAL FUND TOTAL</b>	<b>(\$250,599)</b>	<b>(\$259,995)</b>

**Juvenile Community Corrections 0892**

Initiative: Appropriates funds to offset a deappropriation contained in Part A of this Act related to eliminating 5 Juvenile Community Reintegration Specialist positions, one Office Associate II position and one part-time Office Associate II position.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	6.500	6.500
Personal Services	\$510,570	\$527,803

<b>GENERAL FUND TOTAL</b>	<b>\$510,570</b>	<b>\$527,803</b>
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**Long Creek Youth Development Center 0163**

Initiative: Transfers 3 Juvenile Community Reintegration Specialist positions from the Juvenile Community Corrections program and provides funds to reclassify these positions to Acuity Specialist positions.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$289,800	\$300,570
<b>GENERAL FUND TOTAL</b>	<b>\$289,800</b>	<b>\$300,570</b>

**Long Creek Youth Development Center 0163**

Initiative: Appropriates funds to offset a deappropriation contained in Part A of this Act that proposes to eliminate 6 Teacher MS Juvenile positions, 4 Teacher BS Juvenile positions and one Assistant Principal position.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	11.000	11.000
Personal Services	\$1,019,764	\$1,057,942
<b>GENERAL FUND TOTAL</b>	<b>\$1,019,764</b>	<b>\$1,057,942</b>

**CORRECTIONS, DEPARTMENT OF**

<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	<b>\$1,149,895</b>	<b>\$387,544</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$1,149,895</b>	<b>\$387,544</b>

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

**CULTURAL AFFAIRS COUNCIL, MAINE STATE**

**New Century Program Fund 0904**

Initiative: Deappropriates funds to offset an appropriation in Part A of this Act that provides additional funds in fiscal year 2017-18 and fiscal year 2018-19 only for the planning and preparation for the State of Maine Bicentennial Celebration.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
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All Other	(\$500,000)	(\$500,000)
<b>GENERAL FUND TOTAL</b>	<b>(\$500,000)</b>	<b>(\$500,000)</b>

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

**ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF**

**Applied Technology Development Center System 0929**

Initiative: Appropriates funds to partially offset deappropriations contained in Part A of this Act that reduce All Other funding on a one-time basis to offset Personal Services increases in the General Fund.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$100,000	\$100,000
<b>GENERAL FUND TOTAL</b>	<b>\$100,000</b>	<b>\$100,000</b>

**Community Development Block Grant Program 0587**

Initiative: Reverses funding that is provided in Part A of this Act to reorganize one Planner II position to a Development Program Manager position and transfer and reallocate the cost of the position from 75% Federal Block Grant Fund and 25% General Fund to 75% Other Special Revenue Funds and 25% General Fund within the same program and provide funding for related All Other costs. Also reverses the transfers included in Part A of this Act from All Other to Personal Services in the General Fund to fund the position changes.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	(\$1,541)	(\$2,234)
All Other	\$1,541	\$2,234
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$0</b>

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$63,539)	(\$66,709)
All Other	(\$36,098)	(\$36,098)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$99,637)</b>	<b>(\$102,807)</b>

<b>FEDERAL BLOCK GRANT FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$58,913	\$60,007
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$58,913</b>	<b>\$60,007</b>

**Fund for Efficient Delivery of Local & Regional Svcs Z254**

Initiative: Deappropriates funds in fiscal year 2018-19 to offset appropriations contained in Part A of this Act that provide one-time funding to encourage regional planning and reorganization for towns and municipalities to decrease the duplication of services.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$2,000,000)	(\$5,000,000)
<b>GENERAL FUND TOTAL</b>	<b>(\$2,000,000)</b>	<b>(\$5,000,000)</b>

**Office of Broadband Development Z245**

Initiative: Deallocates funds to offset allocations contained in Part A of this Act to transfer funding from the Municipal Gigabit Broadband Network Access Fund program, Other Special Revenue Funds in the ConnectME Authority to the Office of Broadband Development program, Other Special Revenue Funds in the Department of Economic and Community Development as part of the reorganization of the ConnectME Authority.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$500)	(\$500)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>(\$500)</b>	<b>(\$500)</b>

**Office of Tourism 0577**

Initiative: Adjusts allocations to reflect revenue changes associated with increasing the sales tax on lodging from 9% to 10.5%.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$0	\$250,150
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$250,150</b>

<b>ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF</b>		
<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
GENERAL FUND	(\$1,900,000)	(\$4,900,000)
OTHER SPECIAL REVENUE FUNDS	(\$100,137)	\$146,843
FEDERAL BLOCK GRANT FUND	\$58,913	\$60,007
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<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(\$1,941,224)</b>	<b>(\$4,693,150)</b>

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

**EDUCATION, DEPARTMENT OF**

**General Purpose Aid for Local Schools 0308**

Initiative: Provides additional funding for kindergarten to grade 12 public education beginning in fiscal year 2017-18.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$31,700,000	\$18,600,000
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<b>GENERAL FUND TOTAL</b>	<b>\$31,700,000</b>	<b>\$18,600,000</b>

**Learning Systems Team Z081**

Initiative: Establishes one Public Service Coordinator I position to meet data collection and reporting needs related to the federal Every Student Succeeds Act.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$97,375	\$102,170
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<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$97,375</b>	<b>\$102,170</b>

**National Board Certification Salary Supplement Fund Z147**

Initiative: Allocates funds to offset deallocations contained in Part A of this Act that eliminate funding for the National Board Certification Salary Supplement Fund program. Also reverses \$335,000 of General Fund undedicated revenue in each fiscal year of the 2018-2019 biennium.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$335,000	\$335,000
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<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$335,000</b>	<b>\$335,000</b>
<b>EDUCATION, DEPARTMENT OF</b>		
<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
GENERAL FUND	\$31,700,000	\$18,600,000
FEDERAL EXPENDITURES FUND	\$97,375	\$102,170
OTHER SPECIAL REVENUE FUNDS	\$335,000	\$335,000
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<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$32,132,375</b>	<b>\$19,037,170</b>

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

**EXECUTIVE DEPARTMENT**

**Governor's Legal Defense Fund N265**

Initiative: Deappropriates funds to offset an appropriation contained in Part A of this Act related to funding for legal contingencies for which the Attorney General declines to represent the State.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$500,000)	(\$500,000)
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<b>GENERAL FUND TOTAL</b>	<b>(\$500,000)</b>	<b>(\$500,000)</b>

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

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

**Developmental Services Waiver - MaineCare 0987**

Initiative: Provides appropriations to increase the rates provided for home-based and community-based care for individuals with intellectual disabilities or autism spectrum disorder as required in Part MMMMMMM, section 2 of this Act.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$9,909,714	\$0
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<b>GENERAL FUND TOTAL</b>	<b>\$9,909,714</b>	<b>\$0</b>

**Developmental Services Waiver - Supports Z006**

Initiative: Provides appropriations to increase the rates provided for home-based and community-based care for individuals with intellectual disabilities or autism spectrum disorder as required in Part MMMMMMM, section 2 of this Act.

GENERAL FUND	2017-18	2018-19
All Other	\$1,340,286	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$1,340,286</b>	<b>\$0</b>

**Medicaid Services - Developmental Services 0705**

Initiative: Provides allocations to increase the rates provided for home-based and community-based care for individuals with intellectual disabilities or autism spectrum disorder as required in Part MMMMMMM, section 2 of this Act.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$2,276,560	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,276,560</b>	<b>\$0</b>

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

DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$11,250,000	\$0
OTHER SPECIAL REVENUE FUNDS	\$2,276,560	\$0
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$13,526,560</b>	<b>\$0</b>

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

**Additional Support for People in Retraining and Employment 0146**

Initiative: Provides funding to provide Temporary Assistance for Needy Families, TANF, program benefits and alternative aid benefits to 2-parent families and to increase from \$200 to \$300 the special housing allowance for families receiving TANF program benefits.

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$835,215	\$1,113,620

FEDERAL BLOCK GRANT	\$835,215	\$1,113,620
<b>FUND TOTAL</b>		

**Developmental Services - Community Z208**

Initiative: Eliminates one Public Service Coordinator II position from the Developmental Services - Community program within the Department of Health and Human Services and reduces funding for related All Other, as of July 1, 2018.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$92,388)
All Other	\$0	(\$6,286)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$98,674)</b>

**Developmental Services - Community Z208**

Initiative: Reinstates 11 Human Services Caseworker positions and 2 MH & DD Caseworker positions in the Developmental Services - Community program to offset their eliminations in Part A of this Act.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$964,902	\$1,001,638
All Other	\$93,343	\$93,628
<b>GENERAL FUND TOTAL</b>	<b>\$1,058,245</b>	<b>\$1,095,266</b>

**Division of Contract Management Z035**

Initiative: Eliminates one Counsel position from the Division of Contract Management within the Department of Health and Human Services and reduces funding for related All Other, as of July 1, 2018.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$60,976)
All Other	\$0	(\$4,149)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$65,125)</b>

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Personal Services	\$0	(\$31,412)
All Other	\$0	(\$2,137)

OTHER SPECIAL	\$0	(\$33,549)
<b>REVENUE FUNDS TOTAL</b>		

All Other	\$1,194,458	\$1,194,458
<b>GENERAL FUND TOTAL</b>	<b>\$1,194,458</b>	<b>\$1,194,458</b>

**Division of Licensing and Regulatory Services Z036**

Initiative: Eliminates one General Counsel position from the Division of Licensing and Regulatory Services within the Department of Health and Human Services and reduces funding for related All Other, as of July 1, 2018.

GENERAL FUND	2017-18	2018-19
Personal Services	\$0	(\$36,908)
All Other	\$0	(\$2,200)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$39,108)</b>

**Long Term Care - Office of Aging and Disability Services 0420**

Initiative: Provides funding to increase rates for certain services as required in Part MMMMMMM, section 1 of this Act.

GENERAL FUND	2017-18	2018-19
All Other	\$724,788	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$724,788</b>	<b>\$0</b>

**OTHER SPECIAL REVENUE FUNDS**

	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$68,540)
All Other	\$0	(\$4,086)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$72,626)</b>

**Maine Center for Disease Control and Prevention 0143**

Initiative: Reinstates 5 Public Health Nurse I positions and one Public Health Nurse Supv position in the Maine Center for Disease Control program to offset their eliminations in Part A of this Act.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	6.000	6.000
Personal Services	\$457,488	\$477,663
All Other	\$44,257	\$44,649
<b>GENERAL FUND TOTAL</b>	<b>\$501,745</b>	<b>\$522,312</b>

**General Assistance - Reimbursement to Cities and Towns 0130**

Initiative: Appropriates funds to offset deappropriations in Part A of this Act that reduce funding in the general assistance program for a person who has exhausted the 60-month lifetime limit on Temporary Assistance for Needy Families program benefits and is therefore ineligible to receive municipal general assistance program benefits and for an applicant for general assistance who voluntarily abandons or refuses to use an available resource without just cause and is therefore ineligible to receive general assistance to replace the abandoned resource for a period of 120 days.

GENERAL FUND	2017-18	2018-19
All Other	\$351,000	\$351,000
<b>GENERAL FUND TOTAL</b>	<b>\$351,000</b>	<b>\$351,000</b>

**Maine Center for Disease Control and Prevention 0143**

Initiative: Notwithstanding any other provision of law, adjusts funding between the Maine Center for Disease Control and Prevention program and the Medical Care - Payments to Providers program in the Fund for a Healthy Maine.

FUND FOR A HEALTHY MAINE	2017-18	2018-19
All Other	(\$5,000,000)	(\$5,000,000)
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>(\$5,000,000)</b>	<b>(\$5,000,000)</b>

**Head Start 0545**

Initiative: Appropriates funds to offset deappropriations in Part A of this Act that reduce the appropriation in the Head Start program based on adequate federal funding provided for the services.

GENERAL FUND	2017-18	2018-19

**Maine Children's Growth Council Z074**

Initiative: Provides funding for one part-time coordinator position and additional costs to support the activities of the Maine Children's Growth Council.

GENERAL FUND	2017-18	2018-19
All Other	\$25,000	\$25,000

GENERAL FUND TOTAL	\$25,000	\$25,000
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**Maternal and Child Health 0191**

Initiative: Reinstates 2 Public Health Nurse II positions, one Public Health Nurse I position and one Public Health Nurse Supv position in the Maternal and Child Health program to offset their eliminations in Part A of this Act.

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$339,980	\$355,065
All Other	\$32,889	\$33,190
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$372,869</b>	<b>\$388,255</b>

**Medical Care - Payments to Providers 0147**

Initiative: Provides funding to allow children of state employees to be eligible for the State Children's Health Insurance Program as long as they meet the other eligibility requirements.

GENERAL FUND	2017-18	2018-19
All Other	\$36,946	\$49,513
<b>GENERAL FUND TOTAL</b>	<b>\$36,946</b>	<b>\$49,513</b>
FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$1,857,718	\$2,476,705
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$1,857,718</b>	<b>\$2,476,705</b>

**Medical Care - Payments to Providers 0147**

Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance Percentage for federal fiscal year 2017.

GENERAL FUND	2017-18	2018-19
All Other	(\$6,500,000)	(\$8,000,000)
<b>GENERAL FUND TOTAL</b>	<b>(\$6,500,000)</b>	<b>(\$8,000,000)</b>
FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$6,500,000	\$8,000,000

FEDERAL EXPENDITURES FUND TOTAL	\$6,500,000	\$8,000,000
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**Medical Care - Payments to Providers 0147**

Initiative: Provides allocations to increase the rates provided for home-based and community-based care for individuals with intellectual disabilities or autism spectrum disorder as required in Part MMMMMMM, section 2 of this Act.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$24,416,105	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$24,416,105</b>	<b>\$0</b>

**Medical Care - Payments to Providers 0147**

Initiative: Provides funding to increase rates for certain services as required in Part MMMMMMM, Section 1 of this Act.

GENERAL FUND	2017-18	2018-19
All Other	\$2,275,212	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$2,275,212</b>	<b>\$0</b>
FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$4,105,080	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$4,105,080</b>	<b>\$0</b>

**Medical Care - Payments to Providers 0147**

Initiative: Provides appropriations and allocations to increase hospital supplemental pool payments.

GENERAL FUND	2017-18	2018-19
All Other	\$2,500,000	\$2,500,000
<b>GENERAL FUND TOTAL</b>	<b>\$2,500,000</b>	<b>\$2,500,000</b>
FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	\$4,510,654	\$4,510,654
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$4,510,654</b>	<b>\$4,510,654</b>

**Medical Care - Payments to Providers 0147**

Initiative: Notwithstanding any other provision of law, adjusts funding between the Maine Center for Disease Control and Prevention program and the Medical Care - Payments to Providers program in the Fund for a Healthy Maine.

GENERAL FUND	2017-18	2018-19
All Other	(\$5,000,000)	(\$5,000,000)
<b>GENERAL FUND TOTAL</b>	<b>(\$5,000,000)</b>	<b>(\$5,000,000)</b>
<b>FUND FOR A HEALTHY MAINE</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$5,000,000	\$5,000,000
<b>FUND FOR A HEALTHY MAINE TOTAL</b>	<b>\$5,000,000</b>	<b>\$5,000,000</b>

**Mental Health Services - Children Z206**

Initiative: Eliminates one Public Service Coordinator II position from the Mental Health Services - Children program within the Department of Health and Human Services and reduces funding for related All Other, as of July 1, 2018.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$113,963)
All Other	\$0	(\$6,286)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$120,249)</b>

**Mental Health Services - Community Z198**

Initiative: Eliminates one Public Service Coordinator II position from the Mental Health Services - Community program within the Department of Health and Human Services and reduces funding for related All Other, as of July 1, 2018.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$112,635)
All Other	\$0	(\$6,286)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$118,921)</b>

**Office of the Commissioner 0142**

Initiative: Eliminates one General Counsel position, one Public Service Coordinator II position and one

Director of Legislative Affairs position from the Office of the Commissioner within the Department of Health and Human Services and reduces funding for related All Other, as of July 1, 2018.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	(3.000)
Personal Services	\$0	(\$230,962)
All Other	\$0	(\$11,315)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$242,277)</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$0	(\$153,974)
All Other	\$0	(\$7,543)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$161,517)</b>

**Special Children's Services 0204**

Initiative: Reinstates one Public Health Nurse Consultant position in the Special Children's Services program to offset its elimination in Part A of this Act.

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$94,151	\$98,357
All Other	\$9,108	\$9,194
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$103,259</b>	<b>\$107,551</b>

**Temporary Assistance for Needy Families 0138**

Initiative: Provides allocation for a pilot Working Cars for Families program.

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$0	\$6,000,000
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$0</b>	<b>\$6,000,000</b>

**Temporary Assistance for Needy Families 0138**

Initiative: Provides allocations to provide Temporary Assistance for Needy Families, TANF, program benefits and alternative aid benefits to 2-parent families and to increase from \$200 to \$300 the special housing

allowance for families receiving TANF program benefits.

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$3,488,787	\$4,651,717
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$3,488,787</b>	<b>\$4,651,717</b>

**Temporary Assistance for Needy Families 0138**

Initiative: Provides allocations to increase monthly benefits in the Temporary Assistance for Needy Families program.

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$5,191,636	\$5,198,645
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$5,191,636</b>	<b>\$5,198,645</b>

**Temporary Assistance for Needy Families 0138**

Initiative: Provides allocations in the Temporary Assistance for Needy Families program to provide heating assistance for low-income families with children.

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$3,000,000	\$3,000,000
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$3,000,000</b>	<b>\$3,000,000</b>

**Temporary Assistance for Needy Families 0138**

Initiative: Provides a one-time allocation for technology changes to the Automated Client Eligibility System.

FEDERAL BLOCK GRANT FUND	2017-18	2018-19
All Other	\$100,881	\$0
<b>FEDERAL BLOCK GRANT FUND TOTAL</b>	<b>\$100,881</b>	<b>\$0</b>

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

DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	(\$2,832,606)	(\$7,946,805)

FEDERAL EXPENDITURES FUND	\$39,531,839	\$12,510,654
FUND FOR A HEALTHY MAINE	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$0	(\$267,692)
<b>FEDERAL BLOCK GRANT FUND</b>	<b>\$14,950,365</b>	<b>\$22,936,493</b>

<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$51,649,598</b>	<b>\$27,232,650</b>
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**SECTION TOTALS**

	2017-18	2018-19
GENERAL FUND	\$8,417,394	(\$7,946,805)
FEDERAL EXPENDITURES FUND	\$39,531,839	\$12,510,654
FUND FOR A HEALTHY MAINE	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$2,276,560	(\$267,692)
<b>FEDERAL BLOCK GRANT FUND</b>	<b>\$14,950,365</b>	<b>\$22,936,493</b>

<b>SECTION TOTAL - ALL FUNDS</b>	<b>\$65,176,158</b>	<b>\$27,232,650</b>
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**Sec. ZZZZZZ-10. Appropriations and allocations.** The following appropriations and allocations are made.

**HOUSING AUTHORITY, MAINE STATE**

**Housing Authority - State 0442**

Initiative: Deallocates funds to partially offset allocations contained in Part A of this Act that provide funds to meet unique housing needs in the areas of homelessness, first-time home buyers, rental unit production for people with special needs and low income and repairs to substandard homes.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	(\$2,500,000)	(\$2,500,000)

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$2,500,000)	(\$2,500,000)
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**Sec. ZZZZZZ-11. Appropriations and allocations.** The following appropriations and allocations are made.

**INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

**Maine Commission on Indigent Legal Services Z112**

Initiative: Provides additional funding for indigent legal services.

GENERAL FUND	2017-18	2018-19
All Other	\$2,822,639	\$0
<b>GENERAL FUND TOTAL</b>	<b>\$2,822,639</b>	<b>\$0</b>

**Maine Commission on Indigent Legal Services Z112**

Initiative: Deappropriates funds provided in Part A of this Act that funded travel and per diem payments for the 5 members of the Maine Commission on Indigent Legal Services.

GENERAL FUND	2017-18	2018-19
Personal Services	\$0	(\$3,300)
All Other	\$0	(\$5,000)
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>(\$8,300)</b>

**Reserve for Indigent Legal Services N262**

Initiative: Allocates additional funds for indigent legal services.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$0	\$2,804,980
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$2,804,980</b>

**Reserve for Indigent Legal Services N262**

Initiative: Allocates funds for indigent legal services, including funds for the continuation of one Executive Director of Maine Indigent Legal Services position, one Public Service Manager II position, one Accountant Technician position, one Office Associate I position and 9 Financial Screener positions.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	0.000	11.500
Personal Services	\$0	\$832,565
All Other	\$0	\$15,567,725
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$16,400,290</b>

**Reserve for Indigent Legal Services N262**

Initiative: Deallocates funds to offset an allocation contained in Part A of this Act related to indigent legal services.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
Unallocated	\$0	(\$16,400,290)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>(\$16,400,290)</b>

**INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

DEPARTMENT TOTALS	2017-18	2018-19
GENERAL FUND	\$2,822,639	(\$8,300)
OTHER SPECIAL REVENUE FUNDS	\$0	\$2,804,980
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$2,822,639</b>	<b>\$2,796,680</b>

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

**LABOR, DEPARTMENT OF**

**Employment Services Activity 0852**

Initiative: Allocates funds to offset deallocations contained in Part A of this Act that eliminate 5 CareerCenter Consultant positions and one part-time CareerCenter Consultant position.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	5.500	5.500
Personal Services	\$356,216	\$371,250
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$356,216</b>	<b>\$371,250</b>

**COMPETITIVE SKILLS SCHOLARSHIP FUND**

COMPETITIVE SKILLS SCHOLARSHIP FUND	2017-18	2018-19
Personal Services	\$10,363	\$10,895
<b>COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL</b>	<b>\$10,363</b>	<b>\$10,895</b>

**Employment Services Activity 0852**

Initiative: Allocates funds to offset deallocations contained in Part A of this Act that eliminate 5 CareerCenter Consultant positions and one Office Assistant II position effective June 17, 2018.

<b>FEDERAL EXPENDITURES FUND</b>	<b>2017-18</b>	<b>2018-19</b>
POSITIONS - LEGISLATIVE COUNT	0.000	6.000
Personal Services	\$0	\$335,672
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$335,672</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$0	\$35,077
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$0</b>	<b>\$35,077</b>
<b>COMPETITIVE SKILLS SCHOLARSHIP FUND</b>	<b>2017-18</b>	<b>2018-19</b>
Personal Services	\$0	\$9,352
<b>COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL</b>	<b>\$0</b>	<b>\$9,352</b>
<b>LABOR, DEPARTMENT OF DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$356,216</b>	<b>\$706,922</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$35,077</b>
<b>COMPETITIVE SKILLS SCHOLARSHIP FUND</b>	<b>\$10,363</b>	<b>\$20,247</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$366,579</b>	<b>\$762,246</b>

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

**MARITIME ACADEMY, MAINE**

**Maritime Academy - Operations 0035**

Initiative: Appropriates funds to offset deappropriations contained in Part A of this Act that reduce funding for the Maine Maritime Academy.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$50,000	\$50,000
<b>GENERAL FUND TOTAL</b>	<b>\$50,000</b>	<b>\$50,000</b>

**Maritime Academy - Operations 0035**

Initiative: Transfers funding from the Maritime Academy - Operations program to the Maritime Academy - Schooner Bowdoin program in order to fund maintenance and repair of the Schooner Bowdoin.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$50,000)	(\$50,000)
<b>GENERAL FUND TOTAL</b>	<b>(\$50,000)</b>	<b>(\$50,000)</b>

**Maritime Academy - Schooner Bowdoin Z253**

Initiative: Transfers funding from the Maritime Academy - Operations program to the Maritime Academy - Schooner Bowdoin program in order to fund maintenance and repair of the Schooner Bowdoin.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$50,000	\$50,000
<b>GENERAL FUND TOTAL</b>	<b>\$50,000</b>	<b>\$50,000</b>

**MARITIME ACADEMY, MAINE**

<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
<b>GENERAL FUND</b>	<b>\$50,000</b>	<b>\$50,000</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$50,000</b>	<b>\$50,000</b>

**Sec. ZZZZZZ-14. 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: Increases funding for continuing education and training programs.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	\$20,000	\$20,000
<b>GENERAL FUND TOTAL</b>	<b>\$20,000</b>	<b>\$20,000</b>

**Sec. ZZZZZZ-15. Appropriations and allocations.** The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF**

**Administration - Public Safety 0088**

Initiative: Deappropriates funds to offset appropriations contained in Part A of this Act that provide Personal Services funding for the approved reorganization of one Office Associate II position to a Senior Contract/Grant Specialist position in the Highway Safety DPS program, Federal Expenditures Fund; provide All Other funding for DICAP costs in the Public Safety Administration program, General Fund; and reduce All Other funding for costs no longer needed to support the position in the Highway Safety DPS program, Highway Fund.

GENERAL FUND	2017-18	2018-19
All Other	(\$6,266)	(\$6,393)
<b>GENERAL FUND TOTAL</b>	<b>(\$6,266)</b>	<b>(\$6,393)</b>

**Administration - Public Safety 0088**

Initiative: Appropriates funds to partially offset a deappropriation contained in Part A of this Act that eliminates drug treatment grant funding.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$500,000
<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$500,000</b>

**Division of Building Codes and Standards Z073**

Initiative: Allocates funds to offset deallocations contained in Part A of this Act that eliminate one Office Specialist I position and associated All Other costs.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$68,160	\$68,771
All Other	\$38,409	\$38,404
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$106,569</b>	<b>\$107,175</b>

**Licensing and Enforcement - Public Safety 0712**

Initiative: Reverses the transfer contained in Part A of this Act of one Office Associate II position from Other Special Revenue Funds to the General Fund in the Licensing and Enforcement - Public Safety program.

Also deallocates funding in the All Other line to correct an error contained in Part A of this Act.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$63,846)	(\$64,449)
All Other	(\$11,643)	(\$11,643)
<b>GENERAL FUND TOTAL</b>	<b>(\$75,489)</b>	<b>(\$76,092)</b>
OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$63,846	\$64,449
All Other	\$199,864	\$205,037
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$263,710</b>	<b>\$269,486</b>

**Licensing and Enforcement - Public Safety 0712**

Initiative: Allocates funds to offset deallocations contained in Part A of this Act that eliminate 2 Public Safety Inspector positions, one Office Associate II position and All Other funding related to nonprofit gaming.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$132,252	\$136,791
All Other	\$49,902	\$49,994
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$182,154</b>	<b>\$186,785</b>

**PUBLIC SAFETY, DEPARTMENT OF**

DEPARTMENT TOTALS	2017-18	2018-19
<b>GENERAL FUND</b>	<b>(\$81,755)</b>	<b>\$417,515</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$552,433</b>	<b>\$563,446</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$470,678</b>	<b>\$980,961</b>

**Sec. ZZZZZZ-16. Appropriations and allocations.** The following appropriations and allocations are made.

**TREASURER OF STATE, OFFICE OF  
Debt Service - Treasury 0021**

Initiative: Reduces funding for debt service costs on a one-time basis.

GENERAL FUND	2017-18	2018-19
All Other	(\$3,000,000)	(\$10,000,000)
	(\$3,000,000)	(\$10,000,000)
GENERAL FUND TOTAL	(\$3,000,000)	(\$10,000,000)

**Sec. ZZZZZZ-17. Appropriations and allocations.** The following appropriations and allocations are made.

**UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE**

**Debt Service - University of Maine System 0902**

Initiative: Provides funding for debt service to support a revenue bond to bring facilities into compliance while improving the safety, accessibility and general condition of the university's aging facilities.

GENERAL FUND	2017-18	2018-19
All Other	\$0	\$2,000,000
	\$0	\$2,000,000
GENERAL FUND TOTAL	\$0	\$2,000,000

**Sec. ZZZZZZ-18. Appropriations and allocations.** The following appropriations and allocations are made.

**TECHNOLOGY SERVICES, DEPARTMENT OF  
Statewide Radio Network System Z243**

Initiative: Deallocates funds to offset allocations contained in Part A of this Act related to establishing baseline allocation, expenditures and dedicated revenue for the Statewide Radio and Network System Reserve Fund.

STATEWIDE RADIO AND NETWORK SYSTEM RESERVE FUND	2017-18	2018-19
All Other	(\$5,000)	(\$5,000)
	(\$5,000)	(\$5,000)
STATEWIDE RADIO AND NETWORK SYSTEM RESERVE FUND TOTAL	(\$5,000)	(\$5,000)

**Statewide Radio Network System Z243**

Initiative: Deappropriates funds to offset appropriations contained in Part A of this Act related to the transfer of All Other funding from the Department of Administrative and Financial Services, Statewide Radio Network System program to the Department of

Technology Services, Statewide Radio Network System program.

GENERAL FUND	2017-18	2018-19
All Other	(\$6,699,151)	(\$6,699,151)
	(\$6,699,151)	(\$6,699,151)
GENERAL FUND TOTAL	(\$6,699,151)	(\$6,699,151)

**Technology Services Z242**

Initiative: Deallocates funds to offset allocations contained in Part A of this Act related to the reorganization of one Chief Information Officer position to a Commissioner, Department of Technology Services position to align the classification with the duties of the position.

OFFICE OF INFORMATION SERVICES FUND	2017-18	2018-19
Personal Services	(\$3,124)	(\$3,129)
	(\$3,124)	(\$3,129)
OFFICE OF INFORMATION SERVICES FUND TOTAL	(\$3,124)	(\$3,129)

**Technology Services Z242**

Initiative: Adjusts funding contained in Part B of this Act related to reclassifications.

OFFICE OF INFORMATION SERVICES FUND	2017-18	2018-19
Personal Services	(\$64,170)	(\$70,298)
All Other	\$64,170	\$70,298
	\$0	\$0
OFFICE OF INFORMATION SERVICES FUND TOTAL	\$0	\$0

**Technology Services Z242**

Initiative: Deallocates funds to offset allocations contained in Part A of this Act related to the transfer of positions and All Other funding from the Federal Expenditures Fund, Other Special Revenue Funds and the Office of Information Services Fund in the Department of Administrative and Financial Services, Information Services program to the Federal Expenditures Fund, Other Special Revenue Funds and the Office of Information Services Fund in the new Department of Technology Services, Technology Services program. Position detail is on file in the Bureau of the Budget.

FEDERAL EXPENDITURES FUND	2017-18	2018-19
All Other	(\$500)	(\$500)
	(\$500)	(\$500)

FEDERAL EXPENDITURES	(\$500)	(\$500)
FUND TOTAL		

**OTHER SPECIAL REVENUE FUNDS**

All Other	(\$500)	(\$500)
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OTHER SPECIAL REVENUE FUNDS TOTAL	(\$500)	(\$500)
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**OFFICE OF INFORMATION SERVICES FUND**

POSITIONS - LEGISLATIVE COUNT	(475,000)	(475,000)
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Personal Services	(\$47,736,567)	(\$48,801,411)
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All Other	(\$7,535,440)	(\$7,535,440)
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OFFICE OF INFORMATION SERVICES FUND TOTAL	(\$55,272,007)	(\$56,336,851)
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**Technology Services Z242**

Initiative: Deappropriates and deallocates funds to offset appropriations and allocations contained in Part A of this Act related to transferring and reallocating the cost of one Public Service Manager II position, one GIS Coordinator position and 2 Senior Programmer Analyst positions and associated All Other costs from 100% Office of Information Services Fund to 100% General Fund and reallocates the cost of one Public Service Manager II position from 100% Office of Information Services Fund to 85% Other Special Revenue Funds and 15% General Fund within the same program to provide funding for Maine's Geographic Information Services and GeoLibrary.

**GENERAL FUND**

POSITIONS - LEGISLATIVE COUNT	(4,000)	(4,000)
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Personal Services	(\$442,039)	(\$447,750)
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All Other	(\$631,403)	(\$631,403)
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GENERAL FUND TOTAL	(\$1,073,442)	(\$1,079,153)
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**OFFICE OF INFORMATION SERVICES FUND**

POSITIONS - LEGISLATIVE COUNT	4,000	4,000
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Personal Services	\$442,039	\$447,750
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OFFICE OF INFORMATION SERVICES FUND TOTAL	\$442,039	\$447,750
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**Technology Services Z242**

Initiative: Deappropriates funds to offset appropriations contained in Part A of this Act related to funding for annual principal and interest payments on funds borrowed in support of state technology infrastructure improvements and system purchases and enhancements.

<b>GENERAL FUND</b>	<b>2017-18</b>	<b>2018-19</b>
All Other	(\$220,000)	(\$4,700,000)

GENERAL FUND TOTAL	(\$220,000)	(\$4,700,000)
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**TECHNOLOGY SERVICES, DEPARTMENT OF**

<b>DEPARTMENT TOTALS</b>	<b>2017-18</b>	<b>2018-19</b>
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<b>GENERAL FUND</b>	<b>(\$7,992,593)</b>	<b>(\$12,478,304)</b>
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<b>FEDERAL EXPENDITURES FUND</b>	<b>(\$500)</b>	<b>(\$500)</b>
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<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>(\$500)</b>	<b>(\$500)</b>
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<b>OFFICE OF INFORMATION SERVICES FUND</b>	<b>(\$54,833,092)</b>	<b>(\$55,892,230)</b>
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<b>STATEWIDE RADIO AND NETWORK SYSTEM RESERVE FUND</b>	<b>(\$5,000)</b>	<b>(\$5,000)</b>
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<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(\$62,831,685)</b>	<b>(\$68,376,534)</b>
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**Sec. ZZZZZZ-19. Appropriations and allocations.** The following appropriations and allocations are made.

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

**Governmental Ethics and Election Practices - Commission on 0414**

Initiative: Adjusts allocations for the Maine Clean Election Fund to reflect amounts transferred to the fund.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2017-18</b>	<b>2018-19</b>
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All Other	\$3,000,000	(\$3,000,000)
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,000,000	(\$3,000,000)
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**PART AAAAAAA**

**Sec. AAAAAAA-1. 36 MRSA §4641-B, sub-§4-B, ¶E,** as amended by PL 2015, c. 267, Pt. N, §1, is further amended to read:

E. In fiscal year 2015-16 and each fiscal year thereafter, the Treasurer of State shall credit the revenues derived from the tax imposed pursuant to section 4641-A, subsection 1 in accordance with this paragraph.

(1) At the beginning of the fiscal year, the Maine State Housing Authority shall certify to the Treasurer of State the amount that is necessary and sufficient to meet the authority's obligations relating to bonds issued or planned to be issued by the authority under Title 30-A, section 4864.

(2) On a monthly basis the Treasurer of State shall apply 50% of the revenues in accordance with this subparagraph. The Treasurer of State shall first pay revenues available under this subparagraph to the Maine State Housing Authority, which shall deposit the funds in the Maine Energy, Housing and Economic Recovery Fund established in Title 30-A, section 4863, until the amount paid equals the amount certified by the Maine State Housing Authority under subparagraph (1), after which the Treasurer of State shall credit any remaining revenues available under this subparagraph to the General Fund.

(3) On a monthly basis, the Treasurer of State shall credit 50% of the revenues to the Maine State Housing Authority, except that, notwithstanding paragraph F, in fiscal year 2015-16, the Treasurer of State shall first credit \$6,291,740 of the revenues available under this subparagraph to the General Fund and except that, notwithstanding paragraph F, in fiscal year 2016-17, the Treasurer of State shall first credit \$6,090,367 of the revenues available under this subparagraph to the General Fund and except that, notwithstanding paragraph F, in fiscal years 2017-18 and 2018-19, the Treasurer of State shall first credit \$2,500,000 of the revenues available under this subparagraph to the General Fund. The Maine State Housing Authority shall deposit the funds received pursuant to this subparagraph in the Housing Opportunities for Maine Fund created in Title 30-A, section 4853.

**PART BBBBBBB**

**Sec. BBBBBBB-1. Lapsed balances; Legislature, General Fund account.** Notwithstanding any other provision of law to the contrary, \$2,500,000 of unencumbered balance forward from the various

program accounts and line categories in the Legislature, General Fund accounts as specified by the Executive Director of the Legislative Council lapses to the unappropriated surplus of the General Fund. By September 1, 2017, the Executive Director of the Legislative Council shall review the Legislature, General Fund accounts and notify the State Controller of the unencumbered balance forward amounts by account and line category totaling \$2,500,000 that the State Controller shall lapse to the unappropriated surplus of the General Fund no later than June 30, 2018.

**Sec. BBBBBBB-2. Lapsed balances; Legislature, General Fund account.** Notwithstanding any other provision of law to the contrary, \$2,500,000 of unencumbered balance forward from the various program accounts and line categories in the Legislature, General Fund accounts as specified by the Executive Director of the Legislative Council lapses to the unappropriated surplus of the General Fund. By September 1, 2018, the Executive Director of the Legislative Council shall review the Legislature, General Fund accounts and notify the State Controller of the unencumbered balance forward amounts by account and line category totaling \$2,500,000 that the State Controller shall lapse to the unappropriated surplus of the General Fund no later than June 30, 2019.

**PART CCCCCCC**

**Sec. CCCCCCC-1. Transfer from Unclaimed Property Fund; Maine Budget Stabilization Fund.** Notwithstanding any provision of law to the contrary, the State Controller shall transfer any amounts transferred from the Unclaimed Property Fund account in the Office of the Treasurer of State to the General Fund pursuant to the Maine Revised Statutes, Title 33, section 1964 at the close of the fiscal year ending June 30, 2017 that exceed \$5,767,234 to the Maine Budget Stabilization Fund within the Department of Administrative and Financial Services.

**Sec. CCCCCCC-2. Transfer from Maine Budget Stabilization Fund; General Fund unappropriated surplus.** Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$2,000,000 by the close of the fiscal year ending June 30, 2018 from the Maine Budget Stabilization Fund within the Department of Administrative and Financial Services to the General Fund unappropriated surplus.

**PART DDDDDDD**

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**PART EEEEEEE**

**Sec. EEEEEEE-1. Reserve for Riverview Psychiatric Center established.** Notwithstanding any other provision of law to the contrary, the State Controller shall transfer up to \$65,000,000 from the Maine Budget Stabilization Fund within the Depart-

ment of Administrative and Financial Services to a General Fund reserve account established by the State Controller for the purpose of providing General Fund resources for the amounts in federal financial participation for Medicaid services and disproportionate share hospital payments related to the Riverview Psychiatric Center. Transfers from the reserve account may be made to the Department of Health and Human Services pending a notice and reconsideration of disallowance from the federal Centers for Medicare and Medicaid Services, dated June 7, 2017.

**Sec. EEEEEEE-2. Excess funds.** Any remaining balance in the reserve account, established under section 1, upon closure of the pending disallowance must be transferred by the State Controller to the Maine Budget Stabilization Fund.

#### PART FFFFFFFF

**Sec. FFFFFFFF-1. Carry balance fiscal year 2016-17; Office of Treasurer of State, Debt Service.** Notwithstanding any other provision of law to the contrary, the State Controller shall carry any remaining fiscal year 2016-17 balance in the Office of Treasurer of State, Debt Service program into fiscal year 2017-18.

**Sec. FFFFFFFF-2. Carry balance fiscal year 2017-18; Office of Treasurer of State, Debt Service.** Notwithstanding any other provision of law to the contrary, the State Controller shall carry any remaining fiscal year 2017-18 balance in the Office of Treasurer of State, Debt Service program into fiscal year 2018-19.

#### PART GGGGGGGG

**Sec. GGGGGGGG-1. Carry balances; Fund for Efficient Delivery of Local and Regional Services.** Notwithstanding any provision of law to the contrary, the State Controller shall carry any remaining balances in the Fund for Efficient Delivery of Local and Regional Services program in the Department of Economic and Community Development in each year of the 2018-2019 biennium into the following fiscal year.

#### PART HHHHHHHH

**Sec. HHHHHHHH-1. Transfers from available fiscal year 2017-18 Department of Professional and Financial Regulation Other Special Revenue Funds balances to General Fund.** At the close of fiscal year 2017-18, the State Controller shall transfer \$16,200,000 from available balances in Other Special Revenue Funds accounts within the Department of Professional and Financial Regulation to the General Fund unappropriated surplus. On or before June 30, 2018, the Commissioner of Professional and Financial Regulation shall determine from which accounts the funds will be transferred so that the sum equals \$16,200,000 and notify the State Controller and

the Joint Standing Committee on Appropriations and Financial Affairs of the amounts to be transferred from each account.

#### PART IIIIII

**Sec. IIIIII-1. Transfer to General Fund unappropriated surplus for fiscal year 2017-18.** Notwithstanding any provision of law to the contrary, no later than October 30, 2017, the State Controller shall transfer \$5,000,000 to the General Fund unappropriated surplus from the funds received pursuant to an Assurance of Discontinuance dated February 2017 in the matter of Moody's Corporation, Moody's Investors Service, Inc. and Moody's Analytics, Inc. and \$1,000,000 to the General Fund unappropriated surplus from the additional recoveries received pursuant to the Medicaid Global Settlement with Wyeth Pharmaceuticals, Inc. NAMFCU Case No. 09-06-04.

#### PART JJJJJJJJ

**Sec. JJJJJJJJ-1. 20-A MRSA §6051, sub-§1, ¶J,** as amended by PL 2013, c. 167, Pt. A, §4, is further amended to read:

J. A determination of whether the school administrative unit has complied with the applicable provisions of the unexpended balances requirements established under section 15004; ~~and~~

**Sec. JJJJJJJJ-2. 20-A MRSA §6051, sub-§1, ¶K,** as enacted by PL 2013, c. 167, Pt. A, §5, is amended to read:

K. A schedule of expenditures of federal awards; ~~and~~

**Sec. JJJJJJJJ-3. 20-A MRSA §6051, sub-§1, ¶L** is enacted to read:

L. A determination of whether the school administrative unit has complied with applicable provisions of section 15690-A.

**Sec. JJJJJJJJ-4. 20-A MRSA §15690-A** is enacted to read:

**§15690-A. Local action on increase in state share percentage**

Notwithstanding section 1485, subsection 5, this section applies to school budgets adopted for fiscal years 2017-18 and 2018-19.

**1. Required reduction in local contribution.** If the budget of a school administrative unit is based on assumptions that include an increase in state share, pursuant to section 15690, subsection 1, paragraph C, over the amount used in the most recent approved budget as the result of an increase in the state share of the school administrative unit's total cost of funding public education from kindergarten to grade 12 under this chapter, the increase in state share must be used as follows.

A. Fifty percent of the increase in state share pursuant to section 15690, subsection 1, paragraph C that is attributable to the increase in the state share over the state share amount used in the most recent approved budget must be used to lower the school administrative unit's local contribution to the total cost of funding public education from kindergarten to grade 12.

B. The remaining 50% may be used only to increase expenditures for school purposes in cost center categories approved by the local school board, increase the allocation of finances for a reserve fund or provide an additional amount to lower the required local contribution to the total cost of education.

**2. Warrant.** If the budget of the school administrative unit is based on assumptions that include an increase in state share, pursuant to section 15690, subsection 1, paragraph C, over the amount used in the most recent approved budget as the result of an increase in the state share of the school administrative unit's total cost of funding public education from kindergarten to grade 12 under this chapter, an article in substantially the form in paragraph A must be used to authorize the use of the increase in state share for the expenditures specified in subsection 1, paragraph B after the requirements of subsection 1, paragraph A are met.

A. "Article.....: To see what sums will be appropriated for the following purposes from the amount of the anticipated increase in state share of the school administrative unit's total cost of funding public education from kindergarten to grade 12 over the amount used in the most recent approved budget as the result of an increase in the state share of the school administrative unit's total cost of funding public education from kindergarten to grade 12 under this chapter:

(1) (Amount appropriated) To increase expenditures for school purposes in cost center categories approved by the board (list of amounts by category should be provided);

(2) (Amount appropriated) To increase the allocation of finances in a reserve fund for the purpose of (name of reserve fund); and

(3) (Amount appropriated) To provide a decrease in the local contribution, as defined in the Maine Revised Statutes, Title 20-A, section 15690, subsection 1, paragraph A or B, section 15690, subsection 2 or section 15690, subsection 3 for local property taxpayers for funding public education."

B. If as a result of a vote on the article specified in paragraph A, subparagraph (3) a school administrative unit does not raise 100% of the required local contribution pursuant to section 15690, sub-

section 1, the school administrative unit may petition the commissioner to waive the required pro-  
ration of the state share pursuant to section 15690,  
subsection 1, paragraph C.

C. If the article is approved by the voters at the budget meeting, the board of the school administrative unit may increase expenditures for the purposes approved in the article without holding a special budget meeting and budget validation referendum.

**Sec. JJJJJJ-5. Permitted use of additional funding for 2017-18 school budget.** Notwithstanding the Maine Revised Statutes, Title 20-A, section 15690-A, for school budgets for the 2017-18 fiscal year only, articles approved by the voters that earmarked additional state funding contributions for increased expenditures for school purposes in fiscal year 2017-18 are permitted as approved.

## PART KKKKKKK

**Sec. KKKKKKK-1. Carry balances; Debt Service - Government Facilities Authority.** Notwithstanding any provision of law to the contrary, the State Controller shall carry any remaining balances in the Debt Service - Government Facilities Authority program in the Department of Administrative and Financial Services in each year of the 2018-2019 biennium into the following fiscal year.

## PART LLLLLLL

**Sec. LLLLLLL-1. Payment in 2018 from General Fund unappropriated surplus to Doctors for Maine's Future Scholarship Fund - Finance Authority of Maine.** Notwithstanding any other provision of law to the contrary, by June 30, 2018, the State Controller shall pay \$400,000 from the General Fund unappropriated surplus to the Finance Authority of Maine to be deposited in the Doctors for Maine's Future Scholarship Fund to provide funding for medical school scholarships for eligible students.

**Sec. LLLLLLL-2. Payment in 2019 from General Fund unappropriated surplus to Doctors for Maine's Future Scholarship Fund - Finance Authority of Maine.** Notwithstanding any other provision of law to the contrary, by June 30, 2019, the State Controller shall pay \$400,000 from the General Fund unappropriated surplus to the Finance Authority of Maine to be deposited in the Doctors for Maine's Future Scholarship Fund to provide funding for medical school scholarships for eligible students.

**Sec. LLLLLLL-3. Transfer in 2018 from Board of Licensure in Medicine, Other Special Revenue Funds.** Notwithstanding any other provision of law to the contrary, the State Controller shall transfer \$320,000 from the Board of Licensure in Medicine, Department of Professional and Financial Regulation, Other Special Revenue Funds account to

the General Fund unappropriated surplus by June 30, 2018.

**Sec. LLLLLLL-4. Transfer in 2019 from Board of Licensure in Medicine, Other Special Revenue Funds.** Notwithstanding any other provision of law to the contrary, the State Controller shall transfer \$320,000 from the Board of Licensure in Medicine, Department of Professional and Financial Regulation, Other Special Revenue Funds account to the General Fund unappropriated surplus by June 30, 2019.

**Sec. LLLLLLL-5. Transfer in 2018 from Board of Osteopathic Licensure, Other Special Revenue Funds.** Notwithstanding any other provision of law to the contrary, the State Controller shall transfer \$80,000 from the Board of Osteopathic Licensure, Department of Professional and Financial Regulation, Other Special Revenue Funds account to the General Fund unappropriated surplus by June 30, 2018.

**Sec. LLLLLLL-6. Transfer in 2019 from Board of Osteopathic Licensure, Other Special Revenue Funds.** Notwithstanding any other provision of law to the contrary, the State Controller shall transfer \$80,000 from the Board of Osteopathic Licensure, Department of Professional and Financial Regulation, Other Special Revenue Funds account to the General Fund unappropriated surplus by June 30, 2019.

## PART MMMMMMM

**Sec. MMMMMMM-1. Increase in reimbursement rates for personal care and related services.** No later than October 1, 2017, the Department of Health and Human Services shall amend its rules for reimbursement rates for the home-based and community-based personal care and related services referenced in the February 1, 2016 report "Rate Review for Personal Care and Related Services: Final Rate Models" prepared for the department by Burns & Associates, Inc. The increase in rates must be applied in equal proportion to all home-based and community-based personal care and related services referenced in the report using the funding provided for that purpose in this Act.

The department shall ensure that caps and limitations on home-based and community-based personal care and related services are increased to reflect the increases in reimbursement rates that result from this section. A recipient of services may not experience a reduction in hours solely as a result of increased reimbursement.

Rules adopted pursuant to this section are routine technical rules as described in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

**Sec. MMMMMMM-2. Immediate rate increases.** No later than October 1, 2017, the Department of Health and Human Services shall increase reimbursement rates in accordance with this section.

**1. Section 21 rules.** The Department of Health and Human Services shall amend its rules to increase reimbursement rates above the rates in effect on the effective date of this Part for the following procedure codes provided in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21:

- A. T2017 home support;
- B. T2017 SC home support with medical add-on;
- C. T2017 GT home support - remote support;
- D. T2016 agency home support;
- E. T2016 agency home support over 168 hours;
- F. T2016 SC agency home support with medical add-on;
- G. S5140 shared living foster care, adult, one member;
- H. S5140 TG shared living foster care, adult, one member, increased level of support;
- I. S5140 UN shared living foster care, adult, 2 members;
- J. S5140 UN TG shared living foster care, adult, 2 members, increased level of support;
- K. T2021 community support;
- L. T2021 SC community support with medical add-on;
- M. T2015 career planning;
- N. T2019 employment specialist services;
- O. T2019 SC employment specialist services with medical add-on;
- P. H2023 work support, individual;
- Q. H2023 SC work support with medical add-on;
- R. H2023 UN work support, group, 2 members;
- S. H2023 UP work support, group, 3 members;
- T. H2023 UQ work support, group, 4 members;
- U. H2023 UR work support, group, 5 members;
- V. H2023 US work support, group, 6 members; and
- W. T2034 crisis intervention services.

**2. Section 29 rules.** The Department of Health and Human Services shall amend its rules to increase reimbursement rates above the rates in effect on the effective date of this Part for the following procedure codes provided in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29:

- A. T2017 home support, 1/4 hour;
- B. T2017 GT home support, remote support;
- C. T2021 community support;
- D. T2021 SC community support with medical add-on;
- E. T2019 employment specialist services;
- F. T2019 SC employment specialist services with medical add-on;
- G. H2023 work support, individual;
- H. H2023 SC work support - supported employment with medical add-on;
- I. H2023 UN work support, group, 2 members;
- J. H2023 UP work support, group, 3 members;
- K. H2023 UQ work support, group, 4 members;
- L. H2023 UR work support, group, 5 members;
- M. H2023 US work support, group, 6 members;
- N. T2015 career planning;
- O. S5150 respite, 1/4 hour; and
- P. S5151 respite, per diem.

**3. Proportional increase.** The increase in rates for the procedure codes specified in subsection 1 and subsection 2 must be accomplished in equal proportion using the funding provided for that purpose in this Act.

**4. Major substantive rules.** Rules adopted pursuant to this section are major substantive rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

**PART NNNNNNN**

**Sec. NNNNNNN-1. 22 MRSA §16-B** is enacted to read:

**§16-B. Verification of integrity of reported information by applicants for public assistance**

The department shall use commercially available data to conduct an electronic verification of information provided on an application for benefits for public assistance as defined in section 16, subsection 1, paragraph C. The electronic verification must, at a minimum, be conducted on all new applications for benefits and must include searches for income, residency and available assets.

**Sec. NNNNNNN-2. 22 MRSA §21, sub-§1,** as amended by PL 1997, c. 530, Pt. A, §8, is repealed.

**Sec. NNNNNNN-3. 22 MRSA §21, sub-§3-A** is enacted to read:

**3-A. Electronic benefits transfer card or EBT card.** "Electronic benefits transfer card" or "EBT

card" means a card issued by the department under an electronic benefits transfer system for the delivery of benefits to recipients.

**Sec. NNNNNNN-4. 22 MRSA §21, sub-§§10 and 11,** as enacted by PL 1995, c. 675, §1, are amended to read:

**10. Program.** "Program" means the ~~AFDC program~~, food stamps or Medicaid program or another program.

**11. Recipient.** "Recipient" means a recipient of benefits under the ~~AFDC~~, food stamp or Medicaid programs or another program.

**Sec. NNNNNNN-5. 22 MRSA §22, first ¶,** as amended by PL 1997, c. 530, Pt. A, §10, is further amended to read:

The department is authorized to establish an electronic ~~benefit~~ benefits transfer system for the issuance of benefits under the AFDC, food stamp, Temporary Assistance for Needy Families, statewide food supplement program under section 3104, the Temporary Assistance for Needy Families program under chapter 1053-B, the Women, Infants and Children Special Supplemental Food Program of the federal Child Nutrition Act of 1966 and the Parents as Scholars and Medicaid programs and for child care subsidies under chapter 1052-A; all recipients of benefits under these programs or another program approved for addition under subsection 2 must participate in the EBT system.

**Sec. NNNNNNN-6. 22 MRSA §22, sub-§3,** as enacted by PL 1995, c. 675, §1, is repealed.

**Sec. NNNNNNN-7. 22 MRSA §§24 and 25** are enacted to read:

**§24. Photographs on electronic benefits transfer cards**

The commissioner shall place a photograph of a recipient of benefits under a program specified in section 22 on the recipient's electronic benefits transfer card if agreed to in writing by the recipient. When a recipient of benefits is a minor or incapacitated individual, the commissioner may place a photograph of the recipient's parent or legal guardian on the EBT card if agreed to in writing by that parent or legal guardian.

**§25. Restrictions of the number of replacement electronic benefits transfer cards**

When the department determines that the number of requests by a recipient of benefits for a replacement electronic benefits transfer card is excessive, the department shall require the recipient or a member of the recipient's household to contact the recipient's local office of the department to provide an explanation for the requests. Upon a 5th request for a replacement card within a 12-month period, the department may

not issue a replacement card until the recipient or a member of the recipient's household reports to the recipient's local office of the department to explain the excessive number of replacement requests.

**Sec. NNNNNN-8. 22 MRSA §3104, sub-§§15 and 16** are enacted to read:

**15. Certain felons convicted of violent crimes and sexual assault ineligible.** An individual who is convicted in any jurisdiction on or after January 1, 2018 under federal or state law of aggravated sexual abuse under 18 United States Code, Section 2241; murder under 18 United States Code, Section 1111; an offense under 18 United States Code, Chapter 110; a federal or state offense involving sexual assault, as defined in Section 4002(a) of the federal Violence Against Women Act of 1994, 42 United States Code, Section 13925(a); or an offense under a law of this State that is substantially similar to a federal offense described in this subsection and who is not in compliance with the terms of the individual's sentence, parole or probation or is a fleeing felon is ineligible to receive food assistance through the food supplement program.

**16. Certain lottery and gambling winners ineligible.** A recipient of food assistance through the food supplement program may be denied food assistance as described in this subsection.

A. Lottery and gambling winnings of \$5,000 or more, actually received after any offsets to the winnings required by law by an individual in the recipient's household within one calendar month, disqualifies the household from receiving food assistance through the food supplement program until financial eligibility guidelines set forth in department rule are met.

B. The department shall enter into an agreement with the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations, pursuant to which the bureau shall provide the department with reports no less than monthly to assist the department in determining whether an individual in the recipient's household has received lottery and gambling winnings of \$5,000 or more within one calendar month.

**Sec. NNNNNN-9. 22 MRSA §3174**, as corrected by RR 1991, c. 1, §29 and amended by PL 1997, c. 530, Pt. A, §34, is further amended by adding after the 2nd paragraph a new paragraph to read:

The department shall review and reevaluate eligibility for all recipients of aid, assistance or benefits available through a program of medical assistance administered pursuant to this chapter no less than once every 12 months, notwithstanding any federal statute, regulation or waiver allowing for less frequent reviews.

**Sec. NNNNNN-10. 22 MRSA §3762, sub-§3, ¶B**, as amended by PL 2017, c. 256, §1, is further amended to read:

B. The department may use funds, insofar as resources permit, provided under and in accordance with the United States Social Security Act or state funds appropriated for this purpose or a combination of state and federal funds to provide assistance to families under this chapter. In addition to assistance for families described in this subsection, funds must be expended for the following purposes:

(1) To continue the pass-through of the first \$50 per month of current child support collections and the exclusion of the \$50 pass-through from the budget tests and benefit calculations;

(2) To provide financial assistance to non-citizens legally admitted to the United States who are receiving assistance under this subsection as of July 1, 2011. Recipients of assistance under this subparagraph are limited to the categories of noncitizens who would be eligible for the TANF programs but for their status as aliens under PRWORA. Eligibility for the TANF program for these categories of noncitizens must be determined using the criteria applicable to other recipients of assistance from the TANF program. Any household receiving assistance as of July 1, 2011 may continue to receive assistance, as long as that household remains eligible, without regard to interruptions in coverage or gaps in eligibility for service. A noncitizen legally admitted to the United States who is neither receiving assistance on July 1, 2011 nor has an application pending for assistance on July 1, 2011 that is later approved is not eligible for financial assistance through a state-funded program unless that noncitizen is:

(a) Elderly or disabled, as described under the laws governing supplemental security income in 42 United States Code, Sections 1381 to 1383f (2010);

(b) A victim of domestic violence;

(c) Experiencing other hardship, such as time necessary to obtain proper work documentation, as defined by the department by rule. Rules adopted by the department under this division are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A; or

(d) Unemployed but has obtained proper work documentation, as defined by the department by rule. Rules adopted by the department under this division are

routine technical rules as defined by Title 5, chapter 375, subchapter 2-A;

- (3) To provide benefits to 2-parent families with children using the same eligibility requirements as apply to families headed by a single custodial parent or caretaker relative;
- (4) To provide an assistance program for needy children, 19 to 21 years of age, who are in full-time attendance in secondary school. The program is operated for those individuals who qualify for TANF under the United States Social Security Act, except that they fail to meet the age requirement, and is also operated for the parent or caretaker relative of those individuals. Except for the age requirement, all provisions of TANF, including the standard of need and the amount of assistance, apply to the program established pursuant to this subparagraph;
- (5) To provide assistance for a pregnant woman who is otherwise eligible for assistance under this chapter, except that she has no dependents under 19 years of age. An individual is eligible for the monthly benefit for one eligible person if the medically substantiated expected date of the birth of her child is not more than 90 days following the date the benefit is received;
- (6) To provide a special housing allowance for TANF families whose shelter expenses for rent, mortgage or similar payments, homeowners insurance and property taxes equal or exceed ~~75%~~ 50% of their monthly income. The special housing allowance is limited to \$300 per month for each family. For purposes of this subparagraph, "monthly income" means the total of the TANF monthly benefit and all income countable under the TANF program, plus child support received by the family, excluding the \$50 pass-through payment;
- (7) In determining benefit levels for TANF recipients who have earnings from employment, the department shall disregard from monthly earnings the following:
  - (a) One hundred and eight dollars;
  - (b) Fifty percent of the remaining earnings that are less than the federal poverty level; and
  - (c) All actual child care costs necessary for work, except that the department may limit the child care disregard to \$175 per month per child or \$200 per month per child under 2 years of age or with special needs;

(7-A) In determining eligibility and benefit levels, the department may apply a gross income test only to applicants and not to recipients;

(8) In cases when the TANF recipient has no child care cost, the monthly TANF benefit is the maximum payment level or the difference between the countable earnings and the standard of need established by rule adopted by the department, whichever is lower;

(9) In cases when the TANF recipient has child care costs, the department shall determine a total benefit package, including TANF cash assistance, determined in accordance with subparagraph (7) and additional child care assistance, as provided by rule, necessary to cover the TANF recipient's actual child care costs up to the maximum amount specified in section 3782-A, subsection 5. The benefit amount must be paid as provided in this subparagraph.

(a) Before the first month in which child care assistance is available to an ASPIRE-TANF recipient under this paragraph and periodically thereafter, the department shall notify the recipient of the total benefit package and the following options of the recipient: to receive the total benefit package directly; or to have the department pay the recipient's child care assistance directly to the designated child care provider for the recipient and pay the balance of the total benefit package to the recipient.

(b) If an ASPIRE-TANF recipient notifies the department that the recipient chooses to receive the child care assistance directly, the department shall pay the total benefit package to the recipient.

(c) If an ASPIRE-TANF recipient does not respond or notifies the department of the choice to have the child care assistance paid directly to the child care provider from the total benefit package, the department shall pay the child care assistance directly to the designated child care provider for the recipient. The department shall pay the balance of the total benefit package to the recipient;

(10) Child care assistance under this paragraph must be paid by the department in a prompt manner that permits an ASPIRE-TANF recipient to access child care necessary for work; and

(11) The department shall adopt rules pursuant to Title 5, chapter 375 to implement this

subsection. Rules adopted pursuant to this subparagraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. NNNNNN-11. 22 MRSA §3769-C, sub-§1**, as amended by PL 2001, c. 439, Pt. CC, §1 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

**1. Amount of assistance.** It is the goal of this section to provide low-income families with children sufficient income to meet their most basic needs. If the commissioner determines that unexpended funds are available within the Department of Health and Human Services state or federal ASPIRE or TANF accounts, the commissioner may, by rule, use those funds to increase the maximum levels of assistance in the TANF Program program.

~~A. Beginning October 1, 2001, the department shall use unexpended funds in the TANF program to increase the maximum amount of TANF assistance by an amount equal to 5% of the maximum payments that were in effect on January 1, 2001, and shall increase the standard of need to maintain the same differential between the maximum payment and the standard of need that was in effect on January 1, 2001. Initial applicants for assistance may not become eligible for assistance as a result of any increase in the standard of need required by this paragraph.~~

~~B. Beginning with the 2004 2005 fiscal biennium, the commissioner must continue the 5% benefit increase provided for in paragraph A in the department's current services budget request for the TANF block grant.~~

C. Beginning October 1, 2017, the department shall increase the maximum amount of monthly TANF assistance by an amount equal to 20% of the maximum payments that were in effect on January 1, 2017 and shall increase the standard of need to maintain the same differential between the maximum payment and the standard of need that was in effect on January 1, 2017.

D. Beginning October 1, 2018 and for each year thereafter, the department shall increase the maximum amount of monthly TANF assistance by an amount equal to the increase, if any, in the cost of living and shall increase the standard of need to maintain the same differential between the maximum payment and the standard of need that was in effect on January 1, 2017. The increase in the cost of living for each year must equal the percentage increase, if any, in the federal supplemental security income program for that year.

**Sec. NNNNNN-12. 22 MRSA §§3769-E and 3769-F** are enacted to read:

**§3769-E. Temporary Assistance for Needy Families block grant; increased heating assistance**

In fiscal year 2017-18 and annually thereafter, the Department of Health and Human Services shall provide \$3,000,000 in funds provided under the Temporary Assistance for Needy Families block grant to the Maine State Housing Authority to provide heating assistance for low-income families with children.

Funds provided under this section must be used to supplement funds available under the Low-Income Home Energy Assistance Program administered by the federal Department of Health and Human Services and must be made available to families with children at or below 170% of the federal poverty level that qualify for that program under rules established by the Maine State Housing Authority.

The Maine State Housing Authority may retain what the department determines to be a reasonable administrative fee from the Temporary Assistance for Needy Families block grant for the cost of administering the heating assistance available under this section.

**§3769-F. Working Cars for Working Families Program**

There is established within the department the Working Cars for Working Families Program in order to help families receiving TANF benefits or benefits under the Parents as Scholars Program and families that are financially eligible for alternative aid under section 3763, subsection 8 to obtain or retain sustainable employment by providing them with access to reliable, affordable transportation. In fiscal year 2017-18, the department shall adopt rules establishing program eligibility, participation and administration requirements. From fiscal year 2018-19 to fiscal year 2021-22, the department shall use \$6,000,000 in funds provided under the TANF block grant and accrued prior to fiscal year 2017-18 to fund the program.

This section is repealed July 1, 2022.

**Sec. NNNNNN-13. 22 MRSA §3785, sub-§2**, as amended by PL 1993, c. 385, §18, is repealed.

**Sec. NNNNNN-14. 22 MRSA §3785, sub-§8**, as amended by PL 2017, c. 256, §2, is further amended to read:

**8. Crisis or special circumstance.** A crisis, special circumstance or other reason that the department determines to be good cause that causes an individual to be absent from or discontinue a department activity about which the department has been advised, including lack of transportation or child care necessary for participation when the individual does not have reasonable access to that service and the department cannot offer a reasonable alternative to enable the individual to participate. If an individual has access to transportation that is reasonable under the circum-

stances through any program at the department, the individual is ineligible to receive an exemption based on lack of transportation; or

**Sec. NNNNNNN-15. 22 MRSA §3790, sub-§2, ¶¶B and C,** as enacted by PL 1997, c. 530, Pt. B, §1, are amended to read:

B. That, considering potential employment opportunities and local labor market conditions, the postsecondary education sought by the individual will significantly improve the ability of the family to be self-supporting; ~~and~~

C. That the individual has the aptitude to successfully complete the proposed postsecondary program; ~~and~~

**Sec. NNNNNNN-16. 22 MRSA §3790, sub-§2, ¶D** is enacted to read:

D. That enrollment is for the pursuit of any degree or certification if the occupation has at least an average job outlook as identified by the Center for Workforce Research and Information within the Department of Labor. For occupations with a lower than average job outlook, educational plans require approval of the commissioner or the commissioner's designee.

**Sec. NNNNNNN-17. 22-A MRSA §206, sub-§9** is enacted to read:

**9. Annual reporting.** The commissioner shall report annually as set out in this subsection.

A. After the end of the state fiscal year and no later than July 30th of each year, the commissioner shall issue a press release and post on the department's publicly accessible website a report of the total annual spending in the following programs: the MaineCare program, the Temporary Assistance for Needy Families program under Title 22, chapter 1053-B, the statewide food supplement program under Title 22, section 3104 and municipal general assistance under Title 22, chapter 1161. This report must include a specific breakdown of General Fund funds spent and other spending, including spending figures from the 5 previous years for comparison.

B. After the end of the calendar year and no later than January 30th of each year, the commissioner shall issue a press release and post on the department's publicly accessible website the following welfare fraud-related statistics for the MaineCare program, the Temporary Assistance for Needy Families program under Title 22, chapter 1053-B, the statewide food supplement program under Title 22, section 3104 and municipal general assistance under Title 22, chapter 1161: the number of cases investigated, the number of cases referred to the Office of the Attorney General for prosecution, the number of cases referred to district attor-

neys' offices for prosecution and the number of cases successfully prosecuted. The department shall follow the same procedure outlined in this paragraph for all intentional program violations.

C. After the end of the state fiscal year and no later than July 30th of each year, the commissioner shall issue a press release and post on the department's publicly accessible website each individual contract the department has with providers of services. The report must include the following information for each contract: the provider's name, the program office, the contract period, the total contract dollar value, the amount of General Fund funds allocated to the contract and a description of the services provided pursuant to the contract. The report must indicate whether the contract was a sole-source contract or the result of a competitive bidding process.

D. After the end of the state fiscal year and no later than July 30th of each year, the commissioner shall issue a press release and post on the department's publicly accessible website each individual grant the department receives from the Federal Government. The report must include the following information: the program office, the grant period, the total grant award, the number of fully or partially funded staff funded by the grant and a description of the grant. The report must indicate whether or not the grant is discretionary and the amount of General Fund funds necessary to support the grant.

E. After the end of the state fiscal year and no later than July 30th of each year, the commissioner shall issue a press release and post on the department's publicly accessible website the total out-of-state travel costs for employees of the department. The report must include travel costs by year for each of the previous 5 years, listed by individual division or agency within the department as well as by funding type.

**PART OOOOOOO**

This Part left blank intentionally.

**PART PPPPPPP**

This Part left blank intentionally.

**PART QQQQQQQ**

**Sec. QQQQQQQ-1. Salary payments; employees declared emergency personnel.** All employees of the executive branch departments and independent agencies, the Legislature and the Judicial Department declared emergency personnel based on the Governor's declaration of civil emergency effective July 1, 2017 must receive compensation, including, but not limited to, holiday pay, they would have received if the civil emergency had not been declared.

**Sec. QQQQQQ-2. Salary payments; employees not declared emergency personnel.**

All employees of the executive branch departments and independent agencies, the Legislature and the Judicial Department not declared emergency personnel based on the Governor's declaration of civil emergency effective July 1, 2017 must receive compensation, including, but not limited to, holiday pay, they would have received if the civil emergency had not been declared.

**Sec. QQQQQQ-3. Issuance of payroll checks scheduled for July 5, 2017.** If this Act is not enacted into law prior to July 5, 2017, the Department of Administrative and Financial Services, as soon as possible but no later than 3 days following the effective date of this Act, shall issue Cycle A payroll checks to the employees of the executive branch departments and independent agencies and employees of the Legislature and the Judicial Department who were in pay status in fiscal year 2016-17 and who are scheduled to receive payment on July 5, 2017 but do not receive payment on July 5, 2017.

**Sec. QQQQQQ-4. Issuance of payroll checks scheduled for July 12, 2017.** If this Act is not enacted into law prior to July 12, 2017, the Department of Administrative and Financial Services, as soon as possible but no later than 3 days following the effective date of this Act, shall issue Cycle B payroll checks to the employees of the executive branch departments and independent agencies and employees of the Legislature and the Judicial Department who were in pay status in fiscal year 2016-17 and who are scheduled to receive payment on July 12, 2017 but do not receive payment on July 12, 2017.

**PART RRRRRR**

**Sec. RRRRRR-1. 5 MRSA §24002, sub-§1,** as amended by PL 2011, c. 388, §3, is further amended to read:

**1. Duties.** The duties of the council include, but are not limited to:

A. Reviewing and addressing recommendations of legislative studies and advisory committees regarding young children and the Children's Cabinet;

B. Adopting and updating a long-term plan for investment in the healthy development of young children that will achieve sustainable social and financial investment in the healthy development of young children and their families.

(1) In adopting and updating the plan the council shall consult and coordinate with members of the public, the Children's Cabinet, the Department of Education, the Department of Health and Human Services and advocates, community agencies and providers

of early care and education and services to children and their families; monitor and evaluate progress in accomplishing the plan's vision, goals and performance indicators and best practice research; and consider the changing economic and demographic conditions and the effect of investments on economic growth and productivity.

(2) The plan must include strategies:

(a) To create and sustain a unified, statewide early childhood services system that provides essential resources for children, shares common standards for quality, respects the diversity and uniqueness of young children and their families, reflects a commitment to sustainable growth, includes family representation, recognizes the importance of child care in sustaining employment for parents and recognizes the value of new forms of cooperation among government, business and society in achieving the goals of the plan; and

(b) For overall investment and prioritization of early childhood and education programs, services and initiatives and to address workforce education and training issues, utilization of community partners across the ~~state~~ State and investments in technology and infrastructure; ~~and~~

C. Reporting by January 15, ~~2014~~ 2019 and every 2 years thereafter at the start of the first regular session of the Legislature to the Governor, the Legislative Council and the one or more joint standing committees of the Legislature having jurisdiction over health, human services, taxation and education matters on the activities and accomplishments of the ~~council~~ Maine Children's Growth Council and its long-term plan for investment in the healthy development of young children, and issuing such other reports as the ~~council~~ Maine Children's Growth Council determines to be appropriate. The biennial report must include, but is not limited to:

(1) A description of the involvement of each state agency listed in section 24001, subsection 3, paragraphs K and L in providing early childhood and education services to young children;

(2) A description of the plans and goals of each state agency listed in section 24001, subsection 3, paragraphs K and L as those plans and goals affect the provision of services to young children;

(3) Recommendations for changes to laws and rules to reduce barriers to collaboration

and coordination among federally funded and state-funded programs and services for young children and their families and to improve the quality of programs and services for young children statewide. The recommendations must include, but are not limited to, methods to:

(a) Promote statewide the availability of services and programs for young children and their families;

(b) Promote statewide the financial resources available to young children and their families for early childhood and education programs and services; and

(c) Enhance early childhood and education programs and services for young children, including child development services, education services, supervision services, health services and social services;

(4) A proposed budget for the implementation of the council's recommendations; and

(5) Suggested legislation needed to implement the council's recommendations;

D. Developing and periodically updating a process for evaluating the council's effectiveness in performing its duties and for evaluating progress in accomplishing the long-term plan's visions, goals and performance indicators pursuant to paragraph B, subparagraph (1); and

E. In accordance with the process developed under paragraph D, periodically performing an evaluation of the council's effectiveness in performing its duties and of the progress in accomplishing the long-term plan's visions, goals and performance indicators pursuant to paragraph B, subparagraph (1).

**Sec. RRRRRRR-2. Evaluation; design and performance.** By January 1, 2018, the Maine Children's Growth Council, created in the Maine Revised Statutes, Title 5, section 24001, shall develop an evaluation process pursuant to Title 5, section 24002, subsection 1, paragraph D. By August 1, 2018, the Maine Children's Growth Council shall perform an evaluation pursuant to Title 5, section 24002, subsection 1, paragraph E.

## PART SSSSSSS

**Sec. SSSSSSS-1. Moratorium on rulemaking.** The Department of Health and Human Services may not begin any rule-making procedure connected with rate reductions for reimbursement levels under Rule Chapter 101: MaineCare Benefits Manual, Sections 13, 17, 28 and 65 through June 30, 2019, unless legislative approval has been received.

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

Effective July 4, 2017, unless otherwise indicated.

## CHAPTER 285

### S.P. 91 - L.D. 305

#### An Act To Increase the Penalty for Allowing Wildlife in Captivity To Escape in Violation of a Permit Requirement

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

**Sec. 1. 12 MRSA §12151, sub-§2,** as amended by PL 2015, c. 374, §§3 and 4, is further amended to read:

**2. Penalties.** ~~The~~ Except as provided in section 12152, subsection 7, the following penalties apply to violations of this section.

A. A person who violates subsection 1 commits a civil violation for which a fine of not less than \$500 may be adjudged.

B. A person who violates subsection 1 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.

C. The department may seize fish or wildlife in accordance with sections 10502 and 10503 from a person who violates subsection 1.

**Sec. 2. 12 MRSA §12152, sub-§7** is enacted to read:

**7. Escaped wildlife prohibition; penalty.** The following provisions apply to escaped wildlife.

A. A person may not allow wildlife in captivity to escape that person's possession or control in violation of:

(1) Rules adopted pursuant to subsection 5; or

(2) An additional permit condition or requirement assigned pursuant to subsection 6.

B. Notwithstanding section 12151, subsection 2, a person who violates paragraph A commits:

(1) A Class E crime if the wildlife is permitted in accordance with this section and the permit holder does not immediately notify a law enforcement officer that the wildlife has escaped;

(2) A Class E crime if the wildlife is not permitted in accordance with this section and the person immediately notifies a law enforcement officer that the wildlife has escaped; or

(3) A Class D crime if the wildlife is not permitted in accordance with this section and the person does not immediately notify a law enforcement officer that the wildlife has escaped.

See title page for effective date.

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**CHAPTER 286**  
**S.P. 548 - L.D. 1564**

**An Act To Conform State Law  
to Federal Law While  
Promoting Safe Working  
Environments for Minors**

**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 for it to apply to this summer's seasonal employment; 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 §771,** as amended by PL 1991, c. 544, §4, is further amended to read:

**§771. Minors under 14 years of age**

A minor under 14 years of age may not be employed, permitted or suffered to work in, ~~about or in connection with agriculture~~ nonagricultural or agricultural employment, except for agricultural employment in the planting, cultivating or harvesting of field crops or other agricultural employment not in direct contact with hazardous machinery or hazardous substances; ~~any eating place, automatic laundries, retail establishment where frozen dairy products are manufactured on the premises, sporting or overnight camp, mercantile establishment or in outdoor occupations on the grounds of a hotel, and a minor between the ages of 14 and 16 years may not be so employed when the distance between the work place and the home of the minor, or any other factor, necessitates the minor's remaining away from home overnight as long as the~~

employment is in accordance with rules adopted pursuant to section 772 and in accordance with 29 Code of Federal Regulations, Part 570. This section does not apply to any such minor who is employed directly by, with or under the supervision of either or both of the minor's parents; or to any such minor under 14 years of age employed in school lunch programs, if limited to serving food and cleaning up dining rooms, or in a business solely owned by the minor's parents. A parent is prohibited from employing the parent's minor child in occupations declared hazardous by the director pursuant to section 772 and in accordance with 29 Code of Federal Regulations, Part 570.

**Sec. 2. 26 MRSA §772, sub-§2,** as amended by PL 2009, c. 631, §47 and affected by §51, is further amended to read:

**2. Rules; list of employment and occupations.** The director shall adopt rules to develop and maintain a list of employment and occupations not suitable for employment of for a minor. The rules must conform as far as practicable to the child labor provisions of the federal Fair Labor Standards Act of 1938, 29 United States Code, Section 212 and any associated regulations. The rules must also contain provisions prohibiting the employment of minors in places having nude entertainment and in registered dispensaries of marijuana for medical use authorized under Title 22, chapter 558-C and in establishments that cultivate, produce or sell marijuana or products in which marijuana is an ingredient or in recreational marijuana social clubs authorized under Title 7, chapter 417.

**Sec. 3. 26 MRSA §773,** as amended by PL 2009, c. 487, Pt. B, §12, is repealed.

**Sec. 4. 26 MRSA §773-A** is enacted to read:

**§773-A. Occupations**

**1. Minors under 16 years of age.** A minor under 16 years of age may not be employed, permitted or suffered to work in, about or in connection with any manufacturing or mechanical establishment, hotel, rooming house, laundry, except a laundry commonly known as an automatic laundry, dry cleaning establishment, bakery, poolroom or commercial place of amusement, including a traveling show or circus, or in conjunction with an amusement, game or show that allows or conducts betting.

**2. Minors 14 and 15 years of age.** The provisions of subsection 1 pertaining to manufacturing establishments do not apply to minors 14 years of age or older and under 16 years of age who are employed in retail establishments where any frozen dairy product or frozen dairy product mix or related food product is produced on the premises for retail sale locally, regardless of trade name or brand or coined name.

The provisions of subsection 1 pertaining to hotels or rooming houses do not apply to minors 14 years of age

or older and under 16 years of age who are employed in outdoor occupations on the grounds of a hotel or who are employed in kitchens, dining rooms, recreational areas, lobbies and offices of a hotel. Minors 14 years of age or older and under 16 years of age are expressly prohibited from performing room service, housekeeping and making deliveries to guest rooms.

The provisions of subsection 1 pertaining to bakeries do not apply to minors 14 years of age or older and under 16 years of age who are employed in retail sales, product decorating, customer service operations or office work for these establishments, as long as the retail, decorating, customer service or office areas are in a room separate from any baking operation.

Notwithstanding other provisions of subsection 1, a minor 14 years of age or older and under 16 years of age may be employed at a commercial place of amusement operating at a permanent location, except that the minor may not be employed at games of chance as defined in Title 17, chapter 62 or hazardous occupations as determined by the director.

Subsection 1 does not apply to any minor under 16 years of age employed in a business solely owned by the minor's parents. A parent is prohibited from employing the parent's minor child in occupations declared hazardous by the director pursuant to section 772 and in accordance with 29 Code of Federal Regulations, Part 570.

A minor 14 years of age or older and under 16 years of age may not be employed when the distance between the workplace and the home of the minor, or any other factor, necessitates the minor's remaining away from home overnight.

**3. Minors 16 and 17 years of age.** A minor who is 16 years of age or older and under 18 years of age:

A. May perform work in both nonagricultural and agricultural employment not in direct contact with hazardous machinery or hazardous substances in accordance with rules adopted pursuant to section 772 and in accordance with 29 Code of Federal Regulations, Part 570;

B. May perform work as a theatrical actor or film actor;

C. May be employed by a parent, but a parent is prohibited from employing the parent's minor child who is 16 years of age or older and under 18 years of age in occupations declared hazardous by the director in accordance with rules adopted pursuant to section 772 and in accordance with 29 Code of Federal Regulations, Part 570;

D. Is exempt from section 774, subsection 1, paragraphs A and C when performing work in the taking or catching of lobsters, fish or other marine organisms; and

E. Who has graduated from a vocational, career and technical or cooperative education program approved by the Department of Education and is hired by an employer to work in an occupation for which the minor has been trained and certified by the vocational program may work for that employer in that occupation.

**Sec. 5. 26 MRSA §774, sub-§1**, as amended by PL 2011, c. 174, §§1 to 3, is further amended to read:

**1. Minors 16 and 17 years of age.** A minor 16 years of age or older and under 18 years of age, enrolled in school, may not be employed as follows:

A. More than 50 hours in any week when the minor's school is not in session;

B. More than 24 hours in any week when the minor's school is in session. In addition, the maximum weekly hours a minor may work is 50 hours during any week that the approved school calendar for the minor's school is less than 3 days or during the first or last week of the school calendar, regardless of how many days the minor's school is in session for the week. If requested, a school must provide verification of its closings to the minor's employer or the Department of Labor;

C. More than 10 hours in any day when the minor's school is not in session;

D. More than 6 hours in any day when the minor's school is in session, except that the minor may work up to 8 hours on the last scheduled day of the school week;

E. More than 6 consecutive days;

F. After 10:15 p.m. on a day preceding a day on which the minor's school is in session or after 12 midnight on a day that does not precede such a school day; or

G. Before 7 a.m. on a day on which the minor's school is in session or before 5 a.m. on any other day.

**Sec. 6. 26 MRSA §775, sub-§4**, as amended by PL 2001, c. 398, Pt. A, §1, is further amended to read:

**4. Conditions for revocation.** The superintendent may revoke the work permit issued to a minor by the bureau if the superintendent determines that the minor has not maintained the conditions for issuance of the work permit under subsection 2, paragraph A. The superintendent shall revoke 2nd work permits at the end of the summer vacation in accordance with the limits imposed by subsection 2, paragraph D. The superintendent shall notify the ~~Director of the Bureau of Labor Standards~~ director and the minor's employer in writing upon revoking a minor's work permit. The

revocation is effective upon receipt by the employer of the superintendent's notice.

The bureau may revoke the work permit if the director determines the minor has not been employed in accordance with section 771, section 772, section 773-A or section 774 or if the bureau has determined that the permit was improperly signed. The director shall notify the superintendent and the minor's employer in writing upon revoking a minor's work permit.

**Sec. 7. 26 MRSA §775, sub-§5**, as enacted by PL 1991, c. 544, §5, is further amended to read:

**5. Permit on file.** The employer shall keep all work permits issued for the employer's minor employees on file and accessible to any attendance officer, ~~factory inspector or other authorized officer or agent of the director~~ charged with the enforcement of this subchapter.

**Sec. 8. 26 MRSA §775, sub-§6**, as amended by PL 1993, c. 527, §1, is further amended to read:

**6. Exception.** This section does not apply to minors engaged in work performed in the planting, cultivating or harvesting of field crops or other agricultural employment not in direct contact with hazardous machinery or hazardous substances or to minors engaged in household work. Minors who are participants in summer youth employment and training programs funded by the Department of Labor are exempt from obtaining individual permits as long as the program employing the minor has submitted a ~~master permit as developed by notice to~~ the director ~~under section 777~~.

**Sec. 9. 26 MRSA §777**, as amended by PL 2001, c. 398, Pt. A, §2, is further amended to read:

#### **§777. Permit formats**

The blank work permit required by section 775 must be formulated by the director and furnished by appropriate means by the director to the persons authorized to sign work permits. The forms of the permits must be approved by the Office of the Attorney General. ~~Every work permit must be made out in triplicate. All triplicates, accompanied by the original papers on which the permits were signed, must be forwarded to the bureau by the officer signing the permits, within 24 hours of the time the permit was signed. The bureau shall examine the papers and promptly return them to the officer who sent them after validating the copies and retaining one copy for bureau files. The officer may then return to the minor all papers filed in proof of age. Whenever there is reason to believe that a work permit was improperly signed, the director, deputy director or agent shall notify the local superintendent of schools of the place in which the certificate was signed. The local superintendent shall cancel the permit when directed to do so by the director. The director may develop an electronic transmittal system to fulfill these requirements. Permit~~

forms may be made available by the bureau and submitted in paper or electronic format as long as the parent's or guardian's signature is submitted to the superintendent.

~~The director shall develop a master permit system for participants in summer youth employment and training programs funded by the Department of Labor. The master permit eliminates the need for prior approval by the director or the superintendent of schools. A minor on a master permit may be removed from the master permit for the same reasons and in the same manner as applicable to an individual work permit.~~

**Sec. 10. 26 MRSA §781, sub-§2**, as enacted by PL 1991, c. 544, §10, is amended to read:

**2. Intentional or knowing violation of section 771, 772 or 773-A.** An employer who intentionally or knowingly employs, permits or suffers any minor to be employed or to work in violation of section 771, 772 or ~~773~~ 773-A is subject to the following ~~forfeiture or civil penalty~~ fines, payable to the State and recoverable in a civil action:

A. For the first violation or a violation not subject to an enhanced sanction under paragraph B or C, a ~~forfeiture or penalty~~ fine of not less than \$500;

B. For a 2nd violation occurring within 3 years of a prior adjudication, a ~~penalty~~ fine of not less than \$5,000 nor more than \$20,000; or

C. For a 3rd and subsequent violation occurring within 3 years of 2 or more prior adjudications, a ~~penalty~~ fine of not less than \$10,000 nor more than \$50,000.

**Sec. 11. 39-A MRSA §408, sub-§§1 and 2**, as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, are amended to read:

**1. Legally employed minors.** A minor is deemed sui juris for the purpose of this Act if the minor's employer was not in violation of Title 26, section 771, 772 or ~~773~~ 773-A at the time of the minor's injury. No other person has any cause of action or right to compensation for an injury to that minor employee except as provided in this section.

**2. Illegally employed minors.** A minor is not deemed to have waived the minor's right of action at common law and under section 104 if the minor's employer was in violation of Title 26, section 771, 772 or ~~773~~ 773-A at the time of the minor's injury.

A. The minor employee, the minor's parent or guardian or any other person, as permitted by common law or statute, may file a civil action permitted under this subsection.

B. The minor employee is entitled to compensation under this Act in addition to any right of action permitted under this subsection.

C. If the employer is self-insured for liability under this Act, any award received by the minor in an action permitted under this subsection must be reduced by the amount of compensation received under this Act.

D. If the employer is insured for liability under this Act, the employer is considered a 3rd party under section 107, and the employer's insurer is entitled to all rights of subrogation, contribution or other rights granted to an employer under section 107.

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

Effective July 9, 2017.

**CHAPTER 287**

**H.P. 536 - L.D. 756**

**An Act To Clarify the Authority of an Affiliate of a Utility To Own Power Generation outside of the Utility's Territory**

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

**Sec. 1. 35-A MRSA §3204, sub-§11** is enacted to read:

**11. Affiliated generation outside service territory permitted.** Notwithstanding subsection 5, an affiliate of an investor-owned transmission and distribution utility may own generation or generation-related assets in accordance with standards of conduct adopted under this subsection as long as the generation or generation-related assets are not directly interconnected to the facilities owned or operated by that investor-owned transmission and distribution utility. The commission shall establish, by rule, standards of conduct governing the relationships permitted under this section between an investor-owned transmission and distribution utility and an affiliate of the investor-owned transmission and distribution utility that owns generation or generation-related assets that:

- A. Prohibit a transmission and distribution utility from taking any action that favors such an affiliate or adversely affects a competitor of such an affiliate in a manner that is unjust or unreasonable;
- B. Ensure the separation and independence of such affiliates; and
- C. Protect ratepayers.

For purposes of this subsection, "affiliate" means a person who has any direct or indirect ownership inter-

est in, or is a direct or indirect subsidiary of a person who has any ownership interest in, the investor-owned transmission and distribution utility, but does not include a wholly owned or partially owned direct or indirect subsidiary of the investor-owned transmission and distribution utility.

Any affiliate generation or generation-related assets permitted under this subsection that do not have a commission-approved long-term contract or term sheet under this Title as of July 1, 2017 are ineligible to participate in a long-term contract under this Title.

Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 2. Existing affiliate.** Prior to the adoption of rules by the Public Utilities Commission as required by the Maine Revised Statutes, Title 35-A, section 3204, subsection 11, an affiliate, as defined in section 3204, subsection 11, of an investor-owned transmission and distribution utility that owns generation or generation-related assets that are not directly interconnected to the facilities owned or operated by that investor-owned transmission and distribution utility may continue to own those generation or generation-related assets and upon adoption of those rules is subject to the standards of conduct adopted by the commission.

See title page for effective date.

**CHAPTER 288**

**H.P. 1112 - L.D. 1616**

**An Act To Correct Errors and Inconsistencies in the Laws of Maine**

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

**Whereas,** acts of this and previous Legislatures have resulted in certain technical errors and inconsistencies in the laws of Maine; and

**Whereas,** these errors and inconsistencies create uncertainties and confusion in interpreting legislative intent; and

**Whereas,** it is vitally necessary that these uncertainties and this confusion be resolved in order to prevent any injustice or hardship to the citizens of Maine; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preserva-

tion 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. 1 MRSA §408-A, sub-§4-A**, as enacted by PL 2015, c. 248, §2, is amended to read:

**4-A. Action for protection.** A body, an agency or an official may seek protection from a request for inspection or copying that is unduly burdensome or oppressive by filing an action for an order of protection in the Superior Court for the county where the request for records was made within 30 days of receipt of the request.

A. The following information must be included in the complaint if available or provided to the parties and filed with the court no more than 14 days from the filing of the complaint or such other period as the court may order:

- (1) The terms of the request and any modifications agreed to by the requesting party;
- (2) A statement of the facts that demonstrate the burdensome or oppressive nature of the request, with a good faith estimate of the time required to search for, retrieve, redact if necessary and compile the records responsive to the request and the resulting costs calculated in accordance with subsection 8;
- (3) A description of the efforts made by the body, agency or official to inform the requesting party of the good faith estimate of costs and to discuss possible modifications of the request that would reduce the burden of production; and
- (4) Proof that the body, agency or official has submitted a notice of intent to file an action under this subsection to the party requesting the records, dated at least 10 days prior to filing the complaint for an order of protection under this subsection.

B. Any appeal that may be filed by the requesting party under section 409 may be consolidated with an action under this subsection.

C. An action for protection may be advanced on the docket and receive priority over other cases when the court determines that the interests of justice so require upon the request of any party.

D. If the court finds that the body, agency or official has demonstrated good cause to limit or deny the request, the court shall enter an order making such findings and establishing the terms upon which production, if any, must be made. If the court finds that the body, agency or official has

not demonstrated good cause to limit or deny the request, the court shall establish a date by which the records must be provided to the requesting party.

**Sec. A-2. 4 MRSA §1610-I**, as enacted by PL 2015, c. 472, §1, is reallocated to 4 MRSA §1610-J.

**Sec. A-3. 5 MRSA §1585, sub-§4**, as enacted by PL 2005, c. 12, Pt. T, §4, is amended to read:

**4. Reorganization of departments.** A state department or agency may not transfer Positions or Personal Services, All Other or Capital Expenditures funding between accounts when the expenditures will allow an action to take place that will cause an increased appropriation or allocation request in the ~~Part I current services~~ baseline budget for any program.

**Sec. A-4. 5 MRSA §4651, sub-§2, ¶C**, as amended by PL 2015, c. 410, Pt. C, §1 and c. 443, §1, is repealed and the following enacted in its place:

C. A single act or course of conduct constituting a violation of section 4681: Title 17, section 2931: or Title 17-A, section 201, 202, 203, 204, 207, 208, 209, 210, 210-A, 211, 253, 301, 302, 303, 506-A, 511, 511-A, 556, 802, 805, 806, 852 or 853.

**Sec. A-5. 5 MRSA §4654, sub-§4, ¶G**, as amended by PL 2015, c. 410, Pt. C, §3 and c. 443, §3, is further amended to read:

G. Having any direct or indirect contact with the plaintiff; ~~or~~

**Sec. A-6. 5 MRSA §4654, sub-§4, ¶H**, as enacted by PL 2015, c. 410, Pt. C, §4 and c. 443, §4, is repealed and the following enacted in its place:

H. Engaging in the unauthorized dissemination of certain private images as prohibited pursuant to Title 17-A, section 511-A; or

**Sec. A-7. 5 MRSA §4654, sub-§4, ¶I** is enacted to read:

I. Destroying, transferring or tampering with the plaintiff's passport or other immigration document in the defendant's possession.

**Sec. A-8. 5 MRSA §4655, sub-§1, ¶F**, as amended by PL 2015, c. 410, Pt. C, §5 and c. 443, §5, is repealed and the following enacted in its place:

F. Entering any other orders determined necessary or appropriate in the discretion of the court:

**Sec. A-9. 5 MRSA §4655, sub-§1, ¶G**, as enacted by PL 2015, c. 410, Pt. C, §6 and c. 443, §6, is repealed and the following enacted in its place:

G. With respect to unauthorized dissemination of certain private images as described in Title 17-A, section 511-A, ordering the defendant to remove, destroy or return or to direct the removal, destruc-

tion or return of the private images, ordering the defendant to cease the dissemination of the private images and prohibiting the defendant from disseminating the private images:

**Sec. A-10. 5 MRSA §4655, sub-§1, ¶H**, as enacted by PL 2015, c. 410, Pt. C, §6, is amended to read:

H. With respect to unauthorized dissemination of certain private images as described in Title 17-A, section 511-A, entering any orders determined necessary or appropriate in the discretion of the court, including but not limited to ordering the defendant to pay costs associated with removal, destruction or return of the private images; or

**Sec. A-11. 5 MRSA §4655, sub-§1, ¶I** is enacted to read:

I. Prohibiting the defendant from destroying, transferring or tampering with the plaintiff's passport or other immigration document in the defendant's possession.

**Sec. A-12. 5 MRSA §5303, sub-§2**, as amended by PL 2007, c. 369, Pt. A, §2 and affected by Pt. C, §5 and amended by PL 2015, c. 429, §23, is further amended to read:

**2. Ten-year limits.** For applicants to and licensees and registrants of the Board of Licensure in Medicine, the Board of Osteopathic Licensure, the Board of Dental Practice, the State Board of Examiners of Psychologists, the State Board of Social Worker Licensure, the State Board of Nursing, the Board of Chiropractic Licensure, the Board of Trustees of the Maine Criminal Justice Academy, the State Board of Examiners in Physical Therapy, the State Board of Alcohol and Drug Counselors, the Board of Respiratory Care Practitioners, the Board of Counseling Professionals Licensure, the Board of Occupational Therapy Practice, the Board on ~~Speech language Pathology of Speech~~, Audiology and Hearing Aid ~~Dealing and Fitting~~, the Radiologic Technology Board of Examiners, the Nursing Home Administrators Licensing Board, the Board of Licensure of Podiatric Medicine, the Board of Complementary Health Care Providers, the Maine Board of Pharmacy, and the Emergency Medical Services' Board and applicants for massage therapy licensure or licensed massage therapists, the following apply.

A. The procedures outlined in sections 5301 and 5302 for the consideration of prior criminal conviction as an element of fitness to practice a licensed profession, trade or occupation apply within 10 years of the applicant's or licensee's final discharge, if any, from the correctional system.

B. Beyond the 10-year period, ex-offender applicants or licensees with no additional convictions

must be considered in the same manner as applicants or licensees possessing no prior criminal record for the purposes of licensing decisions.

C. There is no time limitation for consideration of a registrant's, an applicant's or licensee's conduct that gave rise to the criminal conviction if that conduct is otherwise a ground for disciplinary action.

**Sec. A-13. 9-B MRSA §213, sub-§2, ¶A**, as amended by PL 1979, c. 663, §30, is further amended to read:

A. If the superintendent, a deputy superintendent, examiner or other professional personnel of the bureau or such person's spouse or such person's son or daughter residing at such person's home obtains a loan from any financial institution subject to supervision or regulation by the bureau, the fact of such loan, together with the terms and conditions thereof, ~~shall~~ **must** be disclosed immediately to the superintendent in writing by the person obtaining the loan and by the institution making such loan. If the superintendent is the borrower, such written disclosure ~~shall~~ **must** be made to the ~~Commissioner of Business Regulation~~ **commissioner**.

**Sec. A-14. 11 MRSA §1-1101**, as enacted by PL 2009, c. 325, Pt. A, §2 and affected by §4, is amended to read:

#### **§1-1101. Short titles**

(1). This Title may be cited as "the Uniform Commercial Code."

(2). This Article may be cited as "the Uniform Commercial Code - General Provisions."

**Sec. A-15. 12 MRSA §12954, sub-§4-A, ¶A**, as amended by PL 2013, c. 333, §7, is further amended to read:

A. A licensee shall:

(1) Keep a true and complete record, in such form as is required by the commissioner, to include the names and addresses of persons buying or selling heads, hides and bear gall bladders; and

(2) File that record with the commissioner on or before June 30th of each year.

All data submitted to the commissioner as part of the record ~~is~~ **are** for scientific purposes only and ~~is~~ **are** confidential and not a public record within the meaning of Title 1, chapter 13, subchapter 1, except that the commissioner may disclose data collected under this paragraph for law enforcement purposes or if the data ~~is~~ **are** released in a form that is statistical or general in nature.

**Sec. A-16. 15 MRSA §2167**, as enacted by PL 1993, c. 665, §1, is amended to read:

**§2167. References to pardoned crime deleted from Federal Bureau of Investigation's identification record**

In any criminal case in which the Governor grants a convicted person a full and free pardon, that person, after the expiration of 10 years from the date the person is finally discharged from any sentence imposed as a result of the conviction, may make written application to the State Bureau of Identification to have all references to the pardoned crime deleted from the Federal Bureau of Investigation's identification record. Following receipt of an application, the State Bureau of ~~Investigation~~ Identification shall make the necessary arrangements with the identification division of the Federal Bureau of Investigation to have all references to the pardoned crime deleted from the Federal Bureau of Investigation's identification record and any state materials returned to the contributing agency if the application is timely and the person has not been convicted of a crime in this State or any other jurisdiction since the full and free pardon was granted and has no formal charging instrument for a crime pending in this State or any other jurisdiction.

**Sec. A-17. 19-A MRSA §4002, sub-§1, ¶F**, as amended by PL 2015, c. 410, Pt. B, §1 and c. 443, §9, is further amended to read:

F. Repeatedly and without reasonable cause:

- (1) Following the plaintiff; or
- (2) Being at or in the vicinity of the plaintiff's home, school, business or place of employment; ~~or~~

**Sec. A-18. 19-A MRSA §4002, sub-§1, ¶G**, as enacted by PL 2015, c. 410, Pt. B, §2 and c. 443, §10, is repealed and the following enacted in its place:

G. Engaging in the unauthorized dissemination of certain private images as prohibited pursuant to Title 17-A, section 511-A; or

**Sec. A-19. 19-A MRSA §4002, sub-§1, ¶H** is enacted to read:

H. Engaging in aggravated sex trafficking or sex trafficking as described in Title 17-A, section 852 or 853, respectively.

**Sec. A-20. 19-A MRSA §4006, sub-§5, ¶F**, as amended by PL 2015, c. 410, Pt. B, §3 and c. 443, §12, is further amended to read:

F. Having any direct or indirect contact with the plaintiff; ~~or~~

**Sec. A-21. 19-A MRSA §4006, sub-§5, ¶G**, as enacted by PL 2015, c. 410, Pt. B, §4 and c. 443, §13, is repealed and the following enacted in its place:

G. Engaging in the unauthorized dissemination of certain private images as prohibited pursuant to Title 17-A, section 511-A; or

**Sec. A-22. 19-A MRSA §4006, sub-§5, ¶H** is enacted to read:

H. Destroying, transferring or tampering with the plaintiff's passport or other immigration document in the defendant's possession.

**Sec. A-23. 19-A MRSA §4007, sub-§1, ¶N**, as amended by PL 2015, c. 410, Pt. B, §6 and c. 443, §15, is repealed and the following enacted in its place:

N. Directing the care, custody or control of any animal owned, possessed, leased, kept or held by either party or a minor child residing in the household;

**Sec. A-24. 19-A MRSA §4007, sub-§1, ¶O**, as enacted by PL 2015, c. 410, Pt. B, §7 and c. 443, §16, is repealed and the following enacted in its place:

O. With regard to conduct described as aggravated sex trafficking or sex trafficking as described in Title 17-A, section 852 or 853, respectively, entering any other orders determined necessary or appropriate in the discretion of the court, including, but not limited to, requiring the defendant to pay economic damages related to the return or restoration of the plaintiff's passport or other immigration document and any debts of the plaintiff arising from the trafficking relationship;

**Sec. A-25. 19-A MRSA §4007, sub-§1, ¶P**, as enacted by PL 2015, c. 410, Pt. B, §7, is amended to read:

P. With respect to unauthorized dissemination of certain private images as described in Title 17-A, section 511-A, entering any orders determined necessary or appropriate in the discretion of the court, including but not limited to ordering the defendant to pay costs associated with removal, destruction or return of the private images; ~~or~~

**Sec. A-26. 19-A MRSA §4007, sub-§1, ¶Q** is enacted to read:

Q. With respect to unauthorized dissemination of certain private images as described in Title 17-A, section 511-A, ordering the defendant to remove, destroy or return or to direct the removal, destruction or return of the private images, ordering the defendant to cease the dissemination of the private images and prohibiting the defendant from disseminating the private images.

**Sec. A-27. 20-A MRSA §952, sub-§6, ¶A**, as enacted by PL 2015, c. 256, §1, is amended to read:

A. Data descriptive of a student in any ~~media~~ medium or format, including, but not limited to:

- (1) The student's first and last names;

- (2) The names of the student's parent and other family members;
- (3) The physical address, e-mail address, phone number and any other information that allows contact with the student or the student's family;
- (4) A student's personal identifier, such as the state-assigned student identifier, when used for identification purposes;
- (5) Other indirect identifiers, such as the student's date of birth, place of birth and mother's maiden name;
- (6) Results of assessments administered by the State, school administrative unit, school or teacher, including participation information;
- (7) Course transcript information, including, but not limited to, courses taken and completed, course grades and grade point average, credits earned and degree, diploma, credential attainment or other school exit information;
- (8) Attendance and mobility information between and within school administrative units within the State;
- (9) The student's gender, race and ethnicity;
- (10) Educational program participation information required by state or federal law;
- (11) The student's disability status;
- (12) The student's socioeconomic information;
- (13) The student's food purchases; and
- (14) The student's e-mails, text messages, documents, search activity, photos, voice recordings and geolocation information; and

**Sec. A-28. 20-A MRSA §953, sub-§3, ¶A,** as enacted by PL 2015, c. 256, §1, is amended to read:

A. Notwithstanding subsection 1, paragraph D, and in accordance with subsection 1, paragraphs A, B and C, an operator may disclose student data under the following circumstances:

- (1) If another provision of federal or state law requires the operator to disclose the student data and the operator complies with applicable requirements of federal and state law in protecting and disclosing that information;
- (2) For legitimate research purposes:
  - (a) As required by state or federal law and subject to the restrictions under applicable state and federal law; or

(b) As allowed by state or federal law and under the direction of a school, a school administrative unit or the department; or

(3) To a state agency, school administrative unit or school for kindergarten to grade 12 purposes, as permitted by state or federal law.

**Sec. A-29. 22 MRSA §1826, sub-§2, ¶I,** as amended by PL 2015, c. 247, §1, is further amended to read:

I. No contract or agreement may contain a provision that provides for the payment of attorney's fees or any other cost of collecting payments from the resident, except that attorney's fees and costs may be collected against any agent under a power of attorney who breaches the agent's duties as set forth in ~~section 1826-A~~ or Title 18-A, section 5-914 or against a conservator appointed under Title 18-A, section 5-404 for breach of the conservator's duties.

**Sec. A-30. 23 MRSA §1917, sub-§3,** as repealed and replaced by PL 1981, c. 318, §4, is amended to read:

**3. Interpretation of chapter.** Nothing in this chapter may be interpreted to alter, abridge or in any way interfere with any duty or obligation of a sign owner to remove signs ~~which~~ that were nonconforming and illegal prior to January 1, 1975, under the United States Code, Title 23, section 131, as enacted by Public Law 89-285, 89 Congress S. 2084, the "Agreement for carrying out National Policy relative to Control of Outdoor Advertising in Areas adjacent to the National System of Interstate and Defense Highways and the Federal-Aid Primary System" dated December 27, 1967, and as amended on January 3, 1968, executed by and between the United States of America and the State of Maine, under the Maine Revised Statutes, Title 32, former sections 2711 to 2723.

The intent of this subsection is to preclude any presumption that this chapter is intended to extend the period of use of any sign ~~which~~ that became nonconforming and illegal before January 1, 1975, under the state agreement of December 27, 1967, as amended January 3, 1968, and Title 32, former sections 2711 to 2723.

**Sec. A-31. 24-A MRSA §2437, first ¶,** as amended by PL 2015, c. 429, §10, is further amended to read:

Whenever the terms "physician" ~~or~~ and "doctor" are used in any policy of health or accident insurance issued in this State, these terms include within their meaning those persons licensed under and in accordance with the laws relating to the practice of dentistry, Title 32, chapter 143, in respect to any care, services, procedures or benefits covered by that policy

of insurance that those persons are licensed to perform, any provisions in any such policy of insurance to the contrary notwithstanding.

**Sec. A-32. 29-A MRSA §2360-A, sub-§1**, as enacted by PL 2005, c. 426, §5 and affected by PL 2007, c. 453, §2, is amended to read:

**1. Axle fines waived; midwinter season.** The fine is waived and the Violation Summons and Complaint is not issued for violations of axle and axle group weight limits or tolerances provided by sections 2352, 2353, 2354, ~~2354-A~~, 2357, 2364 and 2365 for vehicles traveling during the months of January and February.

**Sec. A-33. 32 MRSA §2594-E, sub-§5, ¶C**, as enacted by PL 2015, c. 242, §3, is amended to read:

C. Training and education requirements and scope of permissible clinical medical procedures of the physician assistant and the manner and methods by which the supervising physician ~~shall~~ must supervise the physician assistant's medical services;

**Sec. A-34. 32 MRSA §3270-E, sub-§5, ¶C**, as enacted by PL 2015, c. 242, §5, is amended to read:

C. Training and education requirements and scope of permissible clinical medical procedures of the physician assistant and the manner and methods by which the supervising physician ~~shall~~ must supervise the physician assistant's medical services;

**Sec. A-35. 32 MRSA §18371, sub-§4**, as enacted by PL 2015, c. 429, §21, is amended to read:

**4. Delegation not authorized.** A dentist may not delegate any dental activity not listed in ~~subsections~~ subsection 3 or 6 to an unlicensed person.

**Sec. A-36. 36 MRSA §208**, as amended by PL 1993, c. 395, §8, is further amended to read:

### **§208. Equalization**

The State Tax Assessor has the duty of equalizing the state and county taxes among the several towns and unorganized territory. The State Tax Assessor shall equalize and adjust the assessment list of each town, by adding to or deducting from it such amount as will make it equal to its just value as of April 1st. Notice of the proposed valuations of municipalities within each county must be sent annually by certified mail to the chair of the board of assessors, and chair of the board of selectmen in municipalities having selectmen, of each municipality within that county on or before the first day of October. The valuation so determined is subject to review by the State Board of Property Tax Review pursuant to subchapter ~~H-A 2-A~~, but the valuation finally certified to the Secretary of State pursuant to section 381 must be used for all

computations required by law to be based upon the state valuation with respect to municipalities.

**Sec. A-37. 36 MRSA §578, sub-§1, ¶C**, as amended by PL 2011, c. 404, §1, is further amended to read:

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~~ Wasteland.

(3) "Average value of undeveloped land" means the per acre undeveloped land valuations used in the state valuation then in effect, or according to the current local valuation on undeveloped land as determined for state valuation purposes, whichever is less.

(4) "Reduced tree growth valuation" means the difference between the average value of undeveloped land and the average value of tree growth land times the total number of acres classified as forest land under this subchapter plus the total number of acres of forest land that is transferred from tree growth classification to farmland classification pursuant to section 1112 on or after October 1, 2011.

**Sec. A-38. 36 MRSA §605**, as amended by PL 1979, c. 540, §43, is further amended to read:

### **§605. Deceased persons**

The personal property of a deceased person ~~shall~~ must be assessed to the personal representative in the place where the deceased last resided, and such assessment ~~shall continue~~ continues until the personal representative gives notice to the assessors that such property has been distributed. If the deceased at the

time of his death did not reside in the State, such personal property shall ~~shall~~ must be assessed to the personal representative in the place where such property is situated. Before the appointment of a personal representative, the personal property of a deceased person shall must be assessed to the estate of the deceased in the place where ~~he~~ the deceased last resided, if in the State, otherwise in the place where such property is situated, and the personal representative subsequently appointed ~~shall be~~ is liable for the tax.

**Sec. A-39. 36 MRSA §606**, as amended by PL 1979, c. 540, §44, is further amended to read:

**§606. Tax priority; deceased's personal property**

If a personal property tax has been assessed upon the estate of a deceased person, or if a person assessed for a personal property tax has died, the personal representative, after ~~he~~ the personal representative has satisfied the first 4 priorities set forth in Title 18-A, section 3-805, shall, from any estate ~~which that~~ that has come to ~~his~~ the personal representative's hands in such capacity, if such estate is sufficient therefor, pay the personal property tax so assessed to ~~him~~ the personal representative under Title 18-A, section 3-709. In default of such payment the personal representative shall ~~be~~ is personally liable for the tax to the extent of the estate that passed through ~~his~~ the personal representative's hands ~~which that~~ that was not used to satisfy claims or expenses with a higher priority. To the extent that the personal representative is not assessed, the successors to the ~~decedent's~~ decedent's taxed property shall pay the tax assessed.

**Sec. A-40. 36 MRSA §655, sub-§1, ¶D**, as repealed and replaced by PL 1973, c. 592, §13, is amended to read:

D. Livestock, including farm animals, neat; cattle and fowl;

**Sec. A-41. 36 MRSA §943, 6th ¶** is amended to read:

Beginning with taxes that are assessed after April 1, 1985, the notice of impending automatic foreclosure shall must be substantially in the following form:

STATE OF MAINE  
NOTICE OF IMPENDING AUTOMATIC  
FORECLOSURE

Title 36, M.R.S.A. Section 943

IMPORTANT: DO NOT DISREGARD  
THIS NOTICE. YOU WILL LOSE  
YOUR PROPERTY UNLESS YOU PAY  
YOUR ~~19 20~~ 20 PROPERTY TAXES,  
INTEREST AND COSTS.

TO:

You are the party named on a tax lien certificate filed on 19 20, and recorded in Book     , Page      in the County Registry of Deeds. This filing has created a tax lien mortgage on the real estate described therein.

On 19 20, the tax lien mortgage will be foreclosed and your right to recover your property by paying the taxes, interest and costs that are owed will expire.

IF THE TAX LIEN FORECLOSES,  
THE MUNICIPALITY WILL OWN  
YOUR PROPERTY.

If you cannot pay the property taxes you owe please contact me to discuss this notice.

Municipal Treasurer

**Sec. A-42. 36 MRSA §1105, 2nd ¶**, as amended by PL 1993, c. 452, §7, is further amended to read:

The 100% valuation per acre for farm woodland within a parcel classified as farmland under this subchapter is the 100% valuation per acre for each forest type established for each county pursuant to subchapter ~~H-A 2-A~~. Areas other than woodland, agricultural land or horticultural land located within any parcel of farmland classified under this subchapter are valued on the basis of just value.

**Sec. A-43. 36 MRSA §1106-A, sub-§2**, as amended by PL 2011, c. 618, §6, is further amended to read:

**2. Alternative valuation method.** Notwithstanding any other provision of law, if an assessor is unable to determine the valuation of open space land under the valuation method in subsection 1, the assessor may value that land under the alternative method in this subsection. The assessor may reduce the ordinary assessed valuation of the land, without regard to conservation easement restrictions and as reduced by the certified ratio, by the cumulative percentage reduction for which the land is eligible according to the following categories.

A. All open space land is eligible for a reduction of 20%.

B. Permanently protected open space land is eligible for the reduction set in paragraph A and an additional 30%.

C. Forever wild open space land is eligible for the reduction set in paragraphs A and B and an additional 20%.

D. Public access open space land is eligible for the applicable reduction set in paragraph A, B or C and an additional 25%.

E. Managed forest open space land is eligible for the reduction set in paragraphs A, B and D and an additional 10%.

Notwithstanding this section, the value of forested open space land may not be reduced to less than the value it would have under subchapter ~~H-A 2-A~~, and the open space land valuation may not exceed just value as required under section 701-A.

**Sec. A-44. 36 MRSA §1482, sub-§6, ¶A**, as amended by PL 1979, c. 666, §39, is further amended to read:

A. Where the person seeking to pay the excise tax owned the vehicle other than an automobile, truck or truck tractor on or before April 1st, the excise tax must be paid before property taxes for the year in question are committed to the collector, otherwise the owner is subject to a personal property tax.

**Sec. A-45. 36 MRSA §1487, sub-§2-A**, as enacted by PL 2001, c. 671, §34, is amended to read:

**2-A. Agent for collecting excise tax.** The State Tax Assessor may appoint the Secretary of State as an agent for the purpose of collecting excise tax for the unorganized ~~territories~~ territory.

**Sec. A-46. 36 MRSA §1760, sub-§47-A**, as corrected by RR 1995, c. 2, §95, is amended to read:

**47-A. Emergency shelter and feeding organizations.** ~~Beginning October 1, 1996, sales~~ Sales to incorporated nonprofit organizations that provide free temporary emergency shelter or food for underprivileged individuals in this State;

**Sec. A-47. 36 MRSA §2513, 3rd ¶**, as amended by PL 2003, c. 20, Pt. CC, §1 and affected by §3, is further amended to read:

Notwithstanding this section, for ~~income~~ tax years commencing on or after January 1, 1989, the tax imposed by this section upon all gross direct premiums collected or contracted for on long-term care policies, as certified by the superintendent pursuant to Title 24-A, section 5054, must be at the rate of 1% a year.

**Sec. A-48. 36 MRSA §4604, sub-§2**, as amended by PL 2005, c. 176, §3, is further amended to read:

**2. Programs.** The board may make studies; undertake research, development and investment in infrastructure, marketing and promotional programs; publish and disseminate information; and implement other programs in furtherance of its legislative purposes, provided that programs undertaken by the board must be designed to benefit the Maine potato industry at large or segments of the industry, but may not be designed to benefit exclusively any one person or entity involved in the industry. The board shall carry out the duties, as set out in Title 7, chapter 103, subchapter

10, article 4 and known as the "Maine Bag Program," and shall use any funds granted by the department to the board or obtained by the board from any other source for the Maine Bag Program to promote the sale of tablestock potatoes, except that revenues from the potato tax under section 4605 may not be used to undertake promotional activities of the board. The board may use funds derived from sources other than the potato tax to carry out advertising and promotional programs in support of the industry.

**Sec. A-49. 36 MRSA §5217-D, sub-§1, ¶B-1**, as repealed and replaced by PL 2015, c. 482, §1 and c. 494, Pt. A, §48, is repealed and the following enacted in its place:

B-1. "Financial aid package" means financial aid obtained by a student for attendance at an accredited Maine community college, college or university. For purposes of a qualified individual claiming a credit under this section for tax years beginning on or after January 1, 2013 but before January 1, 2016 who is eligible for a credit under paragraph G, subparagraph (1), division (a), "financial aid package" may include financial aid obtained for up to 30 credit hours of course work at an accredited non-Maine community college, college or university earned prior to transfer to an accredited Maine community college, college or university, if the 30 credit hours were earned after December 31, 2007 and the transfer occurred after December 31, 2012. For purposes of a qualified individual claiming a credit under this section for tax years beginning on or after January 1, 2016 who is eligible for a credit under paragraph G, subparagraph (1), division (a-1), "financial aid package" may include financial aid obtained by a student for attendance at an accredited non-Maine community college, college or university after December 31, 2007. For purposes of a qualified individual claiming a credit under this section for tax years beginning on or after January 1, 2016 who is eligible for a credit under paragraph G, subparagraph (1), division (b), "financial aid package" may include financial aid obtained by a student for attendance at an accredited non-Maine community college, college or university after December 31, 2007. For purposes of a qualified individual claiming a credit under this section for tax years beginning on or after January 1, 2016 who is eligible for a credit under paragraph G, subparagraph (1), division (c), "financial aid package" may include financial aid obtained by a student for attendance at an accredited Maine college or university after December 31, 2007. For purposes of an employer claiming a credit under this section for tax years beginning on or after January 1, 2013, "financial aid package" may include financial aid obtained by a qualified employee for attendance at an accredited non-Maine

community college, college or university. "Financial aid package" may include private loans or less than the full amount of loans under federal programs, depending on the practices of the accredited Maine or non-Maine community college, college or university. Loans are includable in the financial aid package only if entered into prior to July 1, 2023.

**Sec. A-50. 39-A MRSA §213, sub-§4**, as amended by PL 2001, c. 448, §2, is further amended to read:

**4. Extension of 260-week limitation.** Effective January 1, 1998 and every January 1st thereafter, the 260-week limitation contained in subsection 1 must be extended 52 weeks for every year the board finds that the frequency of such cases involving the payment of benefits under this section or section 212 or 213 is no greater than the national average based on frequency from the latest unit statistical plan aggregate data for Maine and on a countrywide basis, adjusted to a unified industry mix. The 260-week limitation contained in subsection 1 may not be extended under this subsection to more than 520 weeks. For payments relating to injuries occurring before January 1, 2000, reimbursement to the employer, insurer or group self-insurer for the payment of all benefits for additional weeks payable pursuant to this subsection must be made from the Supplemental Benefits Fund created in section 355-A.

**Sec. A-51. PL 2003, c. 673, Pt. HH, §6, first sentence** is amended to read:

Notwithstanding any other provision of law, the tax imposed under the Maine Revised ~~Statutes~~ Statutes, Title 36, section 2892 must be terminated within 30 days of notification by the United States Department of Health and Human Services that the tax is not a permissible health care related tax.

**Sec. A-52. P&SL 1963, c. 83, §4, 2nd sentence** is amended to read:

When for any reason the district fails to acquire property which it is authorized to take and which is described in such location, or if the location so recorded is defective or uncertain, it may, at any time, correct and perfect such location and file a new description thereof; and in such case, the district is liable in damages only for property for which the owner had not previously been paid, to be ~~assessed~~ assessed as of the time of the original taking, and the district shall not be liable for any act which would have been justified if the original taking had been lawful.

## PART B

**Sec. B-1. 5 MRSA §1742, sub-§26**, as corrected by RR 2011, c. 2, §2, is amended to read:

**26. Rental income.** To credit income from the rental of facilities in Limestone to the Department of Administrative and Financial Services, Bureau of

General Services, Other Special Revenue Funds account. These funds must be used for repairs, capital improvements and other costs of managing the facilities operated by the Maine Military Authority in Limestone.

Notwithstanding any other provision of law and except when the Governor in the case of an emergency pursuant to Title 37-B, section 742 or 744 needs money for disaster relief, in which case the Governor may transfer no more than 10% of the balance of the rental income, the department also may recommend that:

A. 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 General Fund as undedicated revenue;

B. 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 tuition assistance;

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;

D. Beginning July 1, 2007, 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 for maintenance and repair of National Guard armories in the State; and

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; and

**Sec. B-2. 8 MRSA §1037, sub-§2, ¶E**, as enacted by PL 2011, c. 358, §6 and amended by c. 657, Pt. W, §6, is further amended to read:

E. The amounts, reported separately, of revenue received in accordance with section 1036, subsection 2, paragraphs B and D; and from the Stipend Fund under Title 7, section 86 and from any other

source in accordance with rules adopted under section 263-A, subsection 1, paragraph C and Title 7, section 82, subsection 5 by the Commissioner of Agriculture, Conservation and Forestry or the State Harness Racing Commission; and

**Sec. B-3. 8 MRSA §1037, sub-§3**, as enacted by PL 2011, c. 358, §6 and amended by c. 657, Pt. W, §6, is further amended to read:

**3. Agricultural fair that does not conduct harness racing.** The report required by this section must include the following with regard to an agricultural fair:

A. The amount spent to pay fair premiums, to make capital improvements to fairground facilities and for labor costs and operating expenses;

B. The amounts, reported separately, received from slot machine revenue in accordance with section 1036, subsection 2, paragraph D, and from the Stipend Fund under Title 7, section 86 and from any other source in accordance with rules adopted under section 263-A, subsection 1, paragraph C and Title 7, section 82, subsection 5 by the Commissioner of Agriculture, Conservation and Forestry or the State Harness Racing Commission; and

C. An estimate of the number of people that attended the agricultural fair, including separate estimates of paid attendance, free-pass attendance, vendor attendance and attendance under a local campground pass.

**Sec. B-4. 30-A MRSA §4722, sub-§1, ¶N**, 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:

N. With respect to any bonds ~~which~~ that the Maine State Housing Authority is authorized to issue in accordance with the limitations and restrictions of this chapter, covenant and consent that the interest on the bonds will be includable, under the United States Internal Revenue Code of 1954, Title 26, Section 7701(a)(29) 1986, or any subsequent corresponding internal revenue law of the United States, in the gross income of the holders of the bonds to the same extent and in the same manner that the interest on bills, bonds, notes or other obligations of the United States is includable in the gross income of the holders under the United States Internal Revenue Code or any subsequent law. The powers conferred by this paragraph are not subject to any limitations or restrictions of any law ~~which~~ that may limit the Maine State Housing Authority's power to so covenant and consent.

(1) Notwithstanding any other provision of this chapter, proceeds of bonds issued under

this subsection may be used for persons other than persons of low income.

(2) The income on any bonds issued by the Maine State Housing Authority ~~shall~~ must be included in gross income under the Maine Income Tax Law if the income on those bonds is includable in the gross income of the holders of the bonds under the United States Internal Revenue Code of 1954, Title 26, Section 7701(a)(29) 1986, or any subsequent corresponding revenue law of the United States;

**Sec. B-5. 36 MRSA §191, sub-§2, ¶ZZ**, as repealed and replaced by PL 2015, c. 490, §3 and c. 494, Pt. A, §42, is repealed and the following enacted in its place:

ZZ. The disclosure by the State Tax Assessor to a qualified Pine Tree Development Zone business that has filed a claim for reimbursement under section 2016 of information related to any insufficiency of the claim, including records of a contractor or subcontractor that assigned the claim for reimbursement to the qualified Pine Tree Development Zone business and records of the vendors of the contractor or subcontractor;

**Sec. B-6. 36 MRSA §191, sub-§2, ¶AAA**, as enacted by PL 2015, c. 490, §4 and c. 494, Pt. A, §43, is repealed and the following enacted in its place:

AAA. The disclosure of information by the State Tax Assessor or the Associate Commissioner for Tax Policy to the Office of Program Evaluation and Government Accountability under Title 3, section 991 for the review and evaluation of tax expenditures pursuant to Title 3, chapter 37;

**Sec. B-7. 36 MRSA §653, sub-§1, ¶I**, as amended by PL 1989, c. 501, Pt. Z, is further amended to read:

I. No property conveyed to any person for the purpose of obtaining exemption from taxation under this subsection may be so exempt, except property conveyed between ~~husband and wife spouses~~, and the obtaining of exemption by means of fraudulent conveyance ~~shall~~ must be punished by a fine of not less than \$100 and not more than 2 times the amount of the taxes evaded by the fraudulent conveyance, whichever amount is greater.

**Sec. B-8. 36 MRSA §4641-C, sub-§4**, as amended by PL 2005, c. 519, Pt. SSS, §1 and affected by §2, is further amended to read:

**4. Deeds between certain family members.** Deeds between ~~husband and wife spouses~~, parent and child or grandparent and grandchild, without actual consideration for the deed, and deeds between spouses in divorce proceedings;

**Sec. B-9. PL 1987, c. 735, §73, amending clause** is amended to read:

**Sec. 73. P&SL 1865, c. 532, §4, sub-§3**, as enacted by P&SL 1983, c. 33, §1 and amended by PL 1985, c. 779, §§90 and 91, is repealed and the following enacted in its place:

**Sec. B-10. P&SL 2007, c. 22, Pt. A, §3, sub-§6** is amended to read:

6. The district shall maintain its books and records in a manner that creates separate divisions for its water and wastewater operations. These divisions must maintain the assets, liabilities, operating revenues and expenses in a manner that allows the Public Utilities Commission to set rates for the district's water operations. The assets and liabilities of the Augusta Water District must be maintained in the books of the water division of the Greater Augusta ~~Utilities~~ Utility District. The assets and liabilities of the Augusta Sanitary District and Hallowell Water District's wastewater division must be maintained in the books and records of the Greater Augusta Utility District's wastewater division.

### PART C

**Sec. C-1. 9-B MRSA §864, sub-§2, ¶B**, as amended by PL 1993, c. 655, §1, is further amended to read:

B. The service corporation primarily serves credit unions and the membership of affiliated credit unions. A service corporation formed after July 31, 1994 primarily serves credit unions and the membership of affiliated credit unions within the meaning of this paragraph if at least 75% of the services provided within this State are to credit unions and members of credit unions; except that for a service corporation formed after October 1, 2017, when determining whether a service corporation primarily serves credit unions and the membership of affiliated credit unions within the meaning of this paragraph, the superintendent shall consider the relevant federal laws and regulations in effect at the time of formation of the service corporation.

**Sec. C-2. 20-A MRSA §12706, sub-§9**, as amended by PL 2017, c. 179, §5, is further amended to read:

**9. Contracts and agreements.** To enter into any contracts, leases and agreements and any other instruments and arrangements that are necessary, incidental or convenient to the performance of its duties and the execution of its powers under this chapter, except that in any such agreement other than an employment agreement that contains the following provisions against the system is are void:

A. Any requirement that the system must waive its governmental immunity or limited liability;

B. Any requirement that the system must carry insurance in addition to or in excess of its existing insurance;

C. Any requirement that the system must defend, indemnify or hold harmless any other party;

D. Any requirement that the system must submit to the law of a state other than this State;

E. Any requirement that the system must waive its insurer's rights of subrogation;

F. Any requirement that the system must pay another party's attorney's fees; and

G. Any requirement that the agreement is subject to an automatic renewal other than month to month;

**Sec. C-3. 32 MRSA §18134-A**, as enacted by PL 2015, c. 207, §1, is amended to read:

#### **§18134-A. Exception; bleeding of a residential home heating oil burner**

Notwithstanding ~~section 18134, paragraph C section 18102~~, a home heating oil delivery driver may bleed a residential home heating oil burner without direct supervision if the delivery driver has documentation of having completed a board-approved training course in bleeding oil burners. If the oil burner fails to operate after bleeding, the delivery driver shall refer the problem to a journeyman oil and solid fuel burning technician or master oil and solid fuel burning technician.

**Sec. C-4. Effective date.** Those sections of this Part that amend the Maine Revised Statutes, Title 9-B, section 864, subsection 2, paragraph B and Title 20-A, section 12706, subsection 9 take effect 90 days after adjournment of the First Regular Session of the 128th Legislature.

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

Effective July 15, 2017, unless otherwise indicated.

## CHAPTER 289

### S.P. 201 - L.D. 586

#### **An Act To Implement the Recommendations of the Commission To Study the Public Reserved Lands Management 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**, this legislation needs to take effect before the expiration of the 90-day period in order to provide protection for funds in the Public Reserved Lands Management Fund as soon as possible; and

**Whereas**, road building for fiscal year 2017-18 begins July 1, 2017, and clarity with regard to funding for that road building needs to be provided 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 §1807**, as enacted by PL 2015, c. 267, Pt. FF, §1, is amended to read:

**§1807. Sustainable harvest level**

Except as provided in this section, timber harvesting on public reserved lands and nonreserved public lands may not exceed in total an average of 160,000 cords per year over any 3-year period. If an independent timber inventory conducted after July 1, 2015 establishes a different sustainable harvest, the department, upon recommendation from staff within the bureau based on opinions of silvicultural experts in public reserved lands management and data from the most recent physical forest inventory, may adopt by rule a different harvesting level consistent with ~~that~~ the most recent physical forest inventory, as long as the harvesting level is also consistent with multiple use objectives, existing management plans and the department's most recent integrated resource policy for public reserved and nonreserved public lands, state parks and state historic sites. Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A and must be reviewed by the joint standing committee of the Legislature having jurisdiction over public reserved and nonreserved public lands matters.

**Sec. 2. 12 MRSA §1808** is enacted to read:

**§1808. Forest inventory timeline established**

The department shall conduct a detailed forest inventory of the State's public reserved lands and nonreserved public lands by March 15, 2021 and every 5 years thereafter.

**Sec. 3. 12 MRSA §1849, sub-§2**, as enacted by PL 1997, c. 678, §13, is amended to read:

**2. Fund established.** All income received by the director from the public reserved lands, except income provided for in section 1855, must be deposited with the Treasurer of State to be credited to the Public Reserved Lands Management Fund, which is established

as a nonlapsing fund. Any interest earned on this money must also be credited to the fund. No expenditure may be made from the fund other than for the bureau's general operating purposes with respect to management of the public reserved lands unless the fund has a cash operating balance of at least \$2,500,000 at the start of the fiscal year during which the expenditure is made.

**Sec. 4. 12 MRSA §1849, sub-§4** is enacted to read:

**4. Expenditures from fund.** Expenditures from the Public Reserved Lands Management Fund, including but not limited to money expended for road building and road maintenance, are subject to legislative approval in the same manner as appropriations from the General Fund. Money in the Public Reserved Lands Management Fund may not be expended in excess of or in any manner inconsistent with the legislative allocation of the fund by the Legislature. The joint standing committee of the Legislature having jurisdiction over public lands matters, referred to in this subsection as "the jurisdictional committee," shall review all allocations or subdivisions of allocations from the fund.

A. Before January 15th of each odd-numbered year, the commissioner shall submit to the jurisdictional committee a detailed proposed budget for expenditures from the fund for the budgetary biennium. Before January 15th of each even-numbered year, the commissioner shall submit to the jurisdictional committee a detailed budget for any proposed modifications to the legislative allocations of the fund during the remainder of the budgetary biennium.

B. After receiving a budget submission pursuant to paragraph A, the jurisdictional committee shall review the proposed budget or budget modification and shall determine the appropriate allocations or modifications of existing allocations of the fund. The jurisdictional committee shall submit its recommended allocations or modifications to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs, which shall include those recommended allocations or modifications of allocations in an appropriate biennial budget or supplemental budget bill.

**Sec. 5. 12 MRSA §1853, sub-§1, ¶F**, as amended by PL 2007, c. 564, §2; PL 2011, c. 657, Pt. W, §7; and PL 2013, c. 405, Pt. A, §24, is further amended to read:

F. The status of ecological reserves including the acreage of reserved public land designated as ecological reserves, results of monitoring, scientific research and other activities related to the bureau's ecological reserves; ~~and~~

**Sec. 6. 12 MRSA §1853, sub-§1, ¶G,** as enacted by PL 2007, c. 564, §2, is amended to read:

G. A description of any changes in allowed uses of the public reserved lands, including the acreage affected and the reason for the change;

**Sec. 7. 12 MRSA §1853, sub-§1, ¶H** is enacted to read:

H. A breakdown of growth based on the most recent physical forest inventory and of harvest in each region of any public reserved lands units established by the bureau, identifying any harvesting that occurred during the preceding fiscal year in individual management units where harvest exceeds annual growth; and

**Sec. 8. 12 MRSA §1853, sub-§1, ¶I** is enacted to read:

I. An update on capital plans for road construction and road maintenance, including a list and description of roads built and roads maintained in the preceding fiscal year and a list and description of roads to be built and roads to be maintained in the succeeding fiscal year.

**Sec. 9. 12 MRSA §1859** is enacted to read:

**§1859. Funding for educational programs related to logging and forestry**

**1. Legislative findings.** Whereas expenditures from the Public Reserved Lands Management Fund established under section 1849, subsection 2 must be consistent with the public trust limitations embodied in the Constitution of Maine, Article X; and the Constitution of Maine, Article X designates the public lots for the benefit of the schools in this State; and educating new loggers and foresters in the State will help to ensure that the public reserved lands continue to be managed to demonstrate exemplary land management practices, the Legislature declares that authorizing grants under this section is consistent with the Legislature's responsibility as trustee.

**2. Educational grant program established; eligibility.** The bureau shall establish, maintain and administer an educational grant program, referred to in this section as "the grant program," and an application system for the grant program to allow an eligible public secondary program, career and technical education program and public postsecondary educational program to apply for an educational grant under the grant program. Only an educational program at a public secondary or public postsecondary educational institution or career and technical education center that is related to logging or forestry, referred to in this section as "an eligible educational program," is eligible to receive funding under the grant program.

**3. Grants; source of funds; limits.** An approved eligible educational program may receive grants of up

to \$50,000, if available, from the grant program. The source of the funds for the grants is the Public Reserved Lands Management Fund established under section 1849, subsection 2. Total distributions from the Public Reserved Lands Management Fund under the grant program may not exceed \$300,000 in the 2 fiscal years of the state budget biennium.

**4. Permitted use of funding.** An eligible educational program that receives a grant under the grant program may use the grant in more than one year if such an extended use is approved by the bureau during the application process. Grants received through the grant program may be used only for educational purposes, including but not limited to upgrading existing logging equipment. Any grants issued to an eligible educational program must supplement, not supplant, existing school funding.

**5. Participation of regional managers.** The bureau shall include managers of any regional public reserved lands units established by the bureau in the process established for approving the distribution of funds to eligible educational programs under the grant program and shall ensure that the managers are involved with, or have the option to be involved with, any eligible educational program that receives funding through the grant program.

**6. Rulemaking.** The bureau shall adopt rules to carry out the purposes of this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 10. Identification of areas of insufficient access to public reserved lands.** The Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry shall identify areas where the State does not currently have deeded access to the State's public reserved lands. The bureau shall direct regional foresters in the bureau who are familiar with the physical landscape of the identified areas and with the landowners involved to develop goals and priorities regarding increased access to the State's public reserved lands, and the bureau shall submit their findings to the joint standing committee of the Legislature having jurisdiction over public reserved lands matters by March 1, 2019 in the annual report dealing with public reserved lands submitted pursuant to the Maine Revised Statutes, Title 12, section 1853.

**Sec. 11. Statewide priority lists of recreational infrastructure projects and Americans with Disabilities Act projects.** The Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry shall develop a statewide priority list of recreational infrastructure projects for the State's public reserved lands and a statewide priority list of projects under the federal Americans with Disabilities Act of 1990 for the State's public reserved lands. The bureau shall present the priority lists to the

joint standing committee of the Legislature having jurisdiction over public reserved lands matters by March 1, 2019 in the annual report dealing with public reserved lands submitted pursuant to the Maine Revised Statutes, Title 12, section 1853. After receipt of the lists, the joint standing committee of the Legislature having jurisdiction over public reserved lands matters shall hold a meeting for the purpose of obtaining public input on the statewide priority lists. After that meeting, the joint standing committee of the Legislature having jurisdiction over public reserved lands matters shall rank the projects on the priority lists submitted by the bureau and, if funding is available, make recommendations to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs for funding projects.

**Sec. 12. Review of bid process.** The Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry shall review its bid process for timber harvesting and road construction projects, including any liability concerns related to the bid process. The bureau shall report to the joint standing committee of the Legislature having jurisdiction over public reserved lands matters with any recommended changes to the bid process by March 15, 2018.

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

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

**Land Management and Planning Z239**

Initiative: Provides an allocation for STA-CAP costs.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$3,250	\$0
	\$3,250	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL		

**Land Management and Planning Z239**

Initiative: Provides an allocation to develop infrastructure projects to comply with the federal Americans with Disabilities Act of 1990 for the State's public reserved lands.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$50,000	\$0
	\$50,000	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL		

**Land Management and Planning Z239**

Initiative: Provides an allocation to conduct a detailed forest inventory of the State's public reserved lands and public nonreserved lands.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$0	\$65,000
	\$0	\$65,000
OTHER SPECIAL REVENUE FUNDS TOTAL		

**Land Management and Planning Z239**

Initiative: Provides allocations for educational grants to programs related to logging or forestry at public secondary or public postsecondary educational institutions or career and technical education centers.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$150,000	\$150,000
	\$150,000	\$150,000
OTHER SPECIAL REVENUE FUNDS TOTAL		

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

DEPARTMENT TOTALS	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS	\$203,250	\$215,000
DEPARTMENT TOTAL - ALL FUNDS	\$203,250	\$215,000

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

Effective July 20, 2017.

**CHAPTER 290**

**H.P. 344 - L.D. 481**

**An Act To Promote Workforce Participation**

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

**Whereas**, employers throughout this State are struggling to hire and retain skilled workers to meet the needs of their businesses; and

**Whereas**, thousands of parents in this State are currently receiving benefits under the Temporary Assistance for Needy Families, TANF, program and are employed or seeking employment; and

**Whereas**, employers are eager to hire TANF recipients, but often see such employees struggle due to the rapid loss of TANF or other benefits after they return to work, the so-called welfare cliff; and

**Whereas**, addressing this welfare cliff will assist employees to remain employed and to establish stable and long-term employment, allowing them to move permanently off of public assistance while meeting the needs of employers in this State; and

**Whereas**, it is imperative that this legislation take effect immediately so that employees are incentivized to remain at work; 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 §3762, sub-§3, ¶B**, as amended by PL 2015, c. 267, Pt. RRRR, §2, is further amended to read:

B. The department may use funds, insofar as resources permit, provided under and in accordance with the United States Social Security Act or state funds appropriated for this purpose or a combination of state and federal funds to provide assistance to families under this chapter. In addition to assistance for families described in this subsection, funds must be expended for the following purposes:

- (1) To continue the pass-through of the first \$50 per month of current child support collections and the exclusion of the \$50 pass-through from the budget tests and benefit calculations;
- (2) To provide financial assistance to non-citizens legally admitted to the United States who are receiving assistance under this subsection as of July 1, 2011. Recipients of assistance under this subparagraph are limited to the categories of noncitizens who would be eligible for the TANF programs but for their status as aliens under PRWORA. Eligibility for the TANF program for these categories of noncitizens must be determined using the cri-

teria applicable to other recipients of assistance from the TANF program. Any household receiving assistance as of July 1, 2011 may continue to receive assistance, as long as that household remains eligible, without regard to interruptions in coverage or gaps in eligibility for service. A noncitizen legally admitted to the United States who is neither receiving assistance on July 1, 2011 nor has an application pending for assistance on July 1, 2011 that is later approved is not eligible for financial assistance through a state-funded program unless that noncitizen is:

- (a) Elderly or disabled, as described under the laws governing supplemental security income in 42 United States Code, Sections 1381 to 1383f (2010);
  - (b) A victim of domestic violence;
  - (c) Experiencing other hardship, such as time necessary to obtain proper work documentation, as defined by the department by rule. Rules adopted by the department under this division are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A; or
  - (d) Unemployed but has obtained proper work documentation, as defined by the department by rule. Rules adopted by the department under this division are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A;
- (3) To provide benefits to certain 2-parent families whose deprivation is based on physical or mental incapacity;
  - (4) To provide an assistance program for needy children, 19 to 21 years of age, who are in full-time attendance in secondary school. The program is operated for those individuals who qualify for TANF under the United States Social Security Act, except that they fail to meet the age requirement, and is also operated for the parent or caretaker relative of those individuals. Except for the age requirement, all provisions of TANF, including the standard of need and the amount of assistance, apply to the program established pursuant to this subparagraph;
  - (5) To provide assistance for a pregnant woman who is otherwise eligible for assistance under this chapter, except that she has no dependents under 19 years of age. An individual is eligible for the monthly benefit for one eligible person if the medically substantiated expected date of the birth of her child is not more than 90 days following the date the benefit is received;

(6) To provide a special housing allowance for TANF families whose shelter expenses for rent, mortgage or similar payments, homeowners insurance and property taxes equal or exceed 75% of their monthly income. The special housing allowance is limited to \$200 per month for each family. For purposes of this subparagraph, "monthly income" means the total of the TANF monthly benefit and all income countable under the TANF program, plus child support received by the family, excluding the \$50 pass-through payment;

(7) In determining benefit levels for TANF recipients who have earnings from employment, the department shall disregard from monthly earnings the following:

- (a) One hundred and eight dollars;
- (b) Fifty percent of the remaining earnings that are less than the federal poverty level; and
- (c) All actual child care costs necessary for work, except that the department may limit the child care disregard to \$175 per month per child or \$200 per month per child under 2 years of age or with special needs;

(7-A) In determining eligibility and benefit levels, the department may apply a gross income test only to applicants and not to recipients;

(7-B) In addition to the earned income disregards provided in subparagraph (7), a TANF recipient who enters employment must receive a one-time employment incentive payment of \$400 if that TANF recipient retains employment for the subsequent 4 months after entering employment, to be paid at the end of that 4-month period. This subparagraph is repealed December 31, 2018;

(8) In cases when the TANF recipient has no child care cost, the monthly TANF benefit is the maximum payment level or the difference between the countable earnings and the standard of need established by rule adopted by the department, whichever is lower;

(9) In cases when the TANF recipient has child care costs, the department shall determine a total benefit package, including TANF cash assistance, determined in accordance with subparagraph (7) and additional child care assistance, as provided by rule, necessary to cover the TANF recipient's actual child care costs up to the maximum amount specified in section 3782-A, subsection 5.

The benefit amount must be paid as provided in this subparagraph.

(a) Before the first month in which child care assistance is available to an ASPIRE-TANF recipient under this paragraph and periodically thereafter, the department shall notify the recipient of the total benefit package and the following options of the recipient: to receive the total benefit package directly; or to have the department pay the recipient's child care assistance directly to the designated child care provider for the recipient and pay the balance of the total benefit package to the recipient.

(b) If an ASPIRE-TANF recipient notifies the department that the recipient chooses to receive the child care assistance directly, the department shall pay the total benefit package to the recipient.

(c) If an ASPIRE-TANF recipient does not respond or notifies the department of the choice to have the child care assistance paid directly to the child care provider from the total benefit package, the department shall pay the child care assistance directly to the designated child care provider for the recipient. The department shall pay the balance of the total benefit package to the recipient;

(10) Child care assistance under this paragraph must be paid by the department in a prompt manner that permits an ASPIRE-TANF recipient to access child care necessary for work; and

(11) The department shall adopt rules pursuant to Title 5, chapter 375 to implement this subsection. Rules adopted pursuant to this subparagraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

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

Effective July 20, 2017.

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## CHAPTER 291

### H.P. 810 - L.D. 1147

#### An Act To Modernize the Renewable Portfolio Standard

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

**Sec. 1. 35-A MRSA §3210, sub-§3-A, ¶A,** as corrected by RR 2007, c. 2, §20, is amended to read:

A. Except as provided in paragraph B, beginning January 1, 2008, as a condition of licensing pursuant to section 3203, each competitive electricity provider in this State must demonstrate in a manner satisfactory to the commission that the percentage of its portfolio of supply sources for retail electricity sales in this State accounted for by new renewable capacity resources is as follows:

- (1) One percent for the period from January 1, 2008 to December 31, 2008;
- (2) Two percent for the period from January 1, 2009 to December 31, 2009;
- (3) Three percent for the period from January 1, 2010 to December 31, 2010;
- (4) Four percent for the period from January 1, 2011 to December 31, 2011;
- (5) Five percent for the period from January 1, 2012 to December 31, 2012;
- (6) Six percent for the period from January 1, 2013 to December 31, 2013;
- (7) Seven percent for the period from January 1, 2014 to December 31, 2014;
- (8) Eight percent for the period from January 1, 2015 to December 31, 2015;
- (9) Nine percent for the period from January 1, 2016 to December 31, 2016; and
- (10) Ten percent for the period from January 1, 2017 to December 31, ~~2017~~ 2022.

New renewable capacity resources used to satisfy the requirements of this paragraph may not be used to satisfy the requirements of subsection 3.

See title page for effective date.

**CHAPTER 292**

**H.P. 1036 - L.D. 1512**

**An Act To Protect the Health and Safety of First Responders**

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

**Sec. 1. 22 MRSA §832-A** is enacted to read:

**§832-A. Emergency blood-borne pathogen testing**

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

A. "Aggressive blood-borne pathogen" means a blood-borne pathogen whose pathology is such that a person who has been exposed to the pathogen must receive medical treatment to have a chance to effectively neutralize the pathogen.

B. "Body fluids" means body fluids that are excreted or secreted from the body, including, but not limited to, urine, feces, blood or saliva.

C. "Emergency medical care provider" has the same meaning as in Title 17-A, section 752-C, subsection 2.

D. "Firefighter" has the same meaning as in Title 17-A, section 752-E, subsection 2.

E. "First responder" means a law enforcement officer, firefighter or emergency medical care provider.

F. "Law enforcement officer" has the same meaning as in Title 17-A, section 2, subsection 17.

**2. Testing; expedited hearing.** When a first responder has been exposed to a person's body fluids in the course of the first responder's official duties, the first responder or the first responder's designee may ask the person whose body fluids were the source of exposure to the first responder to submit to a blood test. If the person refuses, the first responder may petition the court and, if there is reasonable cause to suspect that the person's body fluids might contain an aggressive blood-borne pathogen, the court may order that a hearing be held in accordance with the procedures set forth in section 832, except that:

A. Upon receipt by the District Court of the petition, the court shall schedule a hearing to be held within 72 hours of the filing of the petition;

B. Any appeal of the District Court's decision must be filed no later than 24 hours following the court's decision; and

C. Upon receipt by the Superior Court of an appeal under paragraph B, the court shall schedule a hearing to be held within 72 hours.

See title page for effective date.

**CHAPTER 293**

**H.P. 1135 - L.D. 1644**

**An Act To Fund the Agreement with Executive Branch Employees**

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

**Whereas**, certain obligations and expenses incident to the operation of state collective bargaining agreements will become due and payable immediately; and

**Whereas**, it is the responsibility of the Legislature to act upon those portions of collective bargaining agreements negotiated by the executive branch that require legislative action; and

**Whereas**, the Governor and the Legislature share a desire to address in a timely manner the needs of certain state employees excluded from collective bargaining units; and

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

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

**Sec. 1. Adjustment of salary schedules for fiscal years 2017-18 and 2018-19.** Effective at the beginning of the pay weeks commencing closest to September 1, 2017 and July 1, 2018, the salary schedules for the executive branch employees in bargaining units represented by the Maine State Troopers Association and the Maine State Law Enforcement Association must be adjusted consistent with the terms of any tentative agreements ratified prior to September 1, 2017.

**Sec. 2. Adjustment of salary schedules for fiscal years 2017-18 and 2018-19.** The salary schedules for the executive branch employees in bargaining units represented by the American Federation of State, County and Municipal Employees and the Maine State Employees Association must be adjusted consistent with the terms of any tentative agreements ratified prior to September 1, 2017.

**Sec. 3. Addition of new steps for certain employees in fiscal years 2017-18 and 2018-19.** Effective at the beginning of the pay periods commencing closest to January 1, 2018, September 1, 2018 and January 1, 2019, the salary schedules for certain employees of the executive branch in bargaining units represented by the Maine State Law Enforcement Association must be adjusted by eliminating the first step and adding a new top step or adding a new top step for those employees at the last step so that employees are paid at the new rates to which they are assigned in the modified salary schedule, consistent with the terms of the applicable tentative collective bargaining agreements ratified prior to September 1, 2017.

**Sec. 4. New, temporary and seasonal employees; similar and equitable treatment.** The

Governor is authorized to grant similar and equitable treatment consistent with this Act for employees in classifications included in bargaining units subject to collective bargaining agreements described in section 7 of this Act who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs E and F.

**Sec. 5. Confidential employees; similar and equitable treatment.** The Governor is authorized to grant similar and equitable treatment consistent with this Act for confidential employees. For the purposes of this section, "confidential employees" means those employees within the executive branch, including probationary employees, who are in positions excluded from bargaining units pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs B, C, D, I and J.

**Sec. 6. Employee salaries subject to Governor's adjustment or approval.** The Governor is authorized to grant similar and equitable treatment consistent with this Act for those unclassified employees whose salaries are subject to the Governor's adjustment or approval.

**Sec. 7. Costs to General Fund and Highway Fund.** Costs to the General Fund and Highway Fund must be provided in all or part through a transfer of Personal Services appropriations within and between departments and agencies from the Salary Plan program, General Fund account in the Department of Administrative and Financial Services up to \$8,000,000 for the fiscal year ending June 30, 2018 and up to \$12,000,000 for the fiscal year ending June 30, 2019 to implement the economic terms of the collective bargaining agreements made in the months of June through September of calendar year 2017 by the State and the American Federation of State, County and Municipal Employees, the Maine State Troopers Association, the Maine State Law Enforcement Association and the Maine State Employees Association, to provide equitable treatment of employees excluded from bargaining pursuant to the Maine Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs E and F and, notwithstanding Title 26, section 979-D, subsection 1, paragraph E, subparagraph (3), to implement equitable adjustments for confidential employees.

**Sec. 8. Transfer of Personal Services appropriations between programs and departments.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, available balances in the General Fund for Personal Services in fiscal year 2017-18 and fiscal year 2018-19 may be transferred by financial order between programs and departments within the General Fund upon recommendation of the State Budget Officer and approval of the Governor to be used for costs associated

with collective bargaining agreements for state employees.

**Sec. 9. Transfer from Salary Plan program and special account funding.** The Salary Plan program, General Fund account in the Department of Administrative and Financial Services may be made available as needed in allotment by financial order upon the recommendation of the State Budget Officer and approval of the Governor to be used for the implementation of the collective bargaining agreements for state employees and for other economic items contained in this Act in fiscal years 2017-18 and 2018-19. Positions supported from sources of funding other than the General Fund and the Highway Fund must be funded from those other sources.

**Sec. 10. Transfer of Personal Services allocations between programs and departments.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, available balances in the Highway Fund for Personal Services in fiscal year 2017-18 and fiscal year 2018-19 may be transferred by financial order between programs and departments within the Highway Fund upon recommendation of the State Budget Officer and approval of the Governor to be used for costs associated with collective bargaining agreements for state employees.

**Sec. 11. Authorization for reimbursement of costs associated with contract resolution.** The Department of Administrative and Financial Services may be reimbursed from the Salary Plan program, General Fund account in the Department of Administrative and Financial Services for the costs of contract resolution, administration and implementation and other costs required by the process of collective bargaining and negotiation procedures.

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

Effective July 24, 2017.

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## CHAPTER 294

### H.P. 597 - L.D. 848

#### An Act To Support Law Enforcement Officers and First Responders Diagnosed with Post-traumatic Stress Disorder

**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.

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

**Sec. 1. 39-A MRSA §201, sub-§3,** as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is repealed.

**Sec. 2. 39-A MRSA §201, sub-§3-A** is enacted to read:

**3-A. Mental injury caused by mental stress. Mental injury resulting from work-related stress does not arise out of and in the course of employment unless:**

A. It is demonstrated by clear and convincing evidence that:

(1) The work stress was extraordinary and unusual in comparison to pressures and tensions experienced by the average employee; and

(2) The work stress, and not some other source of stress, was the predominant cause of the mental injury.

The amount of work stress must be measured by objective standards and actual events rather than any misperceptions by the employee; or

B. The employee is a law enforcement officer, firefighter or emergency medical services person and is diagnosed by an allopathic physician or an osteopathic physician licensed under Title 32, chapter 48 or chapter 36, respectively, with a specialization in psychiatry or a psychologist licensed under Title 32, chapter 56 as having post-traumatic stress disorder that resulted from work stress, that the work stress was extraordinary and unusual compared with that experienced by the average employee and the work stress and not some other source of stress was the predominant cause of the post-traumatic stress disorder, in which case the post-traumatic stress disorder is presumed to have arisen out of and in the course of the worker's employment. This presumption may be rebutted by clear and convincing evidence to the contrary. For purposes of this paragraph, "law enforcement officer," "firefighter" and "emergency medical services person" have the same meaning as in section 328-A, subsection 1.

By January 1, 2022, the board shall submit a report to the joint standing committee of the Legislature having jurisdiction over labor matters that includes an analysis of the number of claims brought under this paragraph, the portion of those claims that resulted in a settlement or award of benefits and the effect of the provisions of this paragraph on costs to the State and its subdivi-

sions. The Department of Administrative and Financial Services, Bureau of Human Resources and the Department of Public Safety shall assist the board in developing the report, and the board shall seek the input of an association, the membership of which consists exclusively of counties, municipalities and other political or administrative subdivisions, in the development of the report.

This paragraph is repealed October 1, 2022.

A mental injury is not considered to arise out of and in the course of employment if it results from any disciplinary action, work evaluation, job transfer, layoff, demotion, termination or any similar action, taken in good faith by the employer.

See title page for effective date.

## CHAPTER 295

### H.P. 915 - L.D. 1318

#### An Act To Align State Relocation Assistance with That of the Federal Government and Make Technical Changes to Recently Enacted Laws

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

**Sec. 1. 23 MRSA §244, sub-§1, ¶D**, as amended by PL 2005, c. 642, §2, is further amended to read:

D. Actual reasonable expenses necessary to reestablish a displaced farm, nonprofit organization or small business at its new site, in accordance with criteria to be established by the department, but not to exceed \$20,000 the amount allowed under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, as amended.

**Sec. 2. 23 MRSA §244-A, sub-§1**, as amended by PL 1989, c. 208, §§13 and 21, is further amended to read:

**1. Owner.** In addition to payments otherwise authorized, the department shall make an additional payment not in excess of \$22,500 the amount allowed under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, as amended to any displaced person who is displaced from a dwelling actually owned and occupied by the displaced person for not less than 180 90 days prior to the initiation of negotiations for the acquisition of the property. The additional payment shall must include the following elements:

A. The amount, if any, which that when added to the acquisition cost of the dwelling acquired by the department equals the reasonable cost of a comparable replacement dwelling. All determinations required to carry out this paragraph shall must be made in accordance with standards established by the department;

B. The amount, if any, which that will compensate the displaced person for any increased interest costs and other debt service costs which that person is required to pay for financing the acquisition of any such comparable replacement dwelling. The amount shall may be paid only if the dwelling acquired by the department was encumbered by a bona fide mortgage which that was a valid lien on the dwelling for not less than 180 days prior to the initiation of negotiations for the acquisition of that dwelling. In calculating the amount to be paid under this section, increased interest costs and other debt service costs shall must be reduced to discounted present value. The payment shall must be an amount which that will reduce the mortgage balance on the replacement dwelling to an amount which that could be amortized with the same monthly payment for principal and interest as that for the mortgage on the displaced dwelling; and

C. Reasonable expenses incurred by the displaced person for evidence of title, recording fees and other closing costs incident to the purchase of the replacement dwelling, but not including prepaid expenses.

**Sec. 3. 23 MRSA §244-B, sub-§1**, as amended by PL 1989, c. 208, §§15 and 21, is further amended to read:

**1. Lease or rent.** The amount necessary to enable the displaced person to lease or rent for a period not to exceed 42 months; a comparable replacement dwelling, but not to exceed \$5,250 the amount allowed under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, as amended. At the discretion of the department, a payment under this subsection may be made in periodic installments. Computation of a payment under this subsection to a low-income displaced person for a comparable replacement dwelling shall must take into account the person's income; or

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

#### SECRETARY OF STATE, DEPARTMENT OF Administration - Motor Vehicles 0077

Initiative: Deallocates funds provided in Public Law 2017, chapter 283, Part A for the annual maintenance

of the software licensing and hardware for the administration of active directory and e-mail services.

HIGHWAY FUND	2017-18	2018-19
All Other	(\$51,059)	(\$51,059)
<b>HIGHWAY FUND TOTAL</b>	<b>(\$51,059)</b>	<b>(\$51,059)</b>

SECRETARY OF STATE, DEPARTMENT OF DEPARTMENT TOTALS	2017-18	2018-19
<b>HIGHWAY FUND</b>	<b>(\$51,059)</b>	<b>(\$51,059)</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(\$51,059)</b>	<b>(\$51,059)</b>

**TRANSPORTATION, DEPARTMENT OF  
Multimodal - Passenger Rail Z139**

Initiative: Allocates funds previously deallocated in Public Law 2017, chapter 283, Part A related to the state support for the Northern New England Passenger Rail Authority.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$1,000,000	\$1,000,000
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$1,000,000</b>	<b>\$1,000,000</b>

TRANSPORTATION, DEPARTMENT OF DEPARTMENT TOTALS	2017-18	2018-19
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$1,000,000</b>	<b>\$1,000,000</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$1,000,000</b>	<b>\$1,000,000</b>

SECTION TOTALS	2017-18	2018-19
<b>HIGHWAY FUND</b>	<b>(\$51,059)</b>	<b>(\$51,059)</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$1,000,000</b>	<b>\$1,000,000</b>
<b>SECTION TOTAL - ALL FUNDS</b>	<b>\$948,941</b>	<b>\$948,941</b>

See title page for effective date.

**CHAPTER 296  
H.P. 1044 - L.D. 1520**

**An Act To Create an  
Aquaculture License**

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

**Sec. 1. 12 MRSA §6073-B**, as enacted by PL 2007, c. 522, §2, is amended to read:

**§6073-B. Harvester license exemption; aquaculture**

The holder of a lease issued under section 6072, 6072-A or 6072-B or a license issued under section 6072-C is exempt from any requirement under sections 6421, 6501, 6601, 6745, 6746, 6748, 6748-A, 6748-D, 6751, 6801-A and 6803 to hold a separate license for the removal, possession, ~~or transport or sale~~ of the cultured organisms, ~~except for molluscan bivalve shellfish~~, from the leased area or the licensed gear, except that, beginning May 1, 2018, a person may not sell organisms cultured on the lease site or under the limited-purpose aquaculture license without a license issued under section 6810-B.

**Sec. 2. 12 MRSA §6073-C**, as reallocated by RR 2007, c. 2, §4, is amended to read:

**§6073-C. Harvester license exemption; scallop aquaculture**

The holder of a lease issued under section 6072, 6072-A or 6072-B or a license issued under section 6072-C is exempt from any requirement under sections 6701, 6702 and 6703 to hold a separate license for the removal, possession, ~~or transport or sale~~ of scallops from the leased area or the licensed gear when the final product form is the adductor muscle only, except that, beginning May 1, 2018, a person may not sell organisms cultured on the lease site or under the limited-purpose aquaculture license without a license issued under section 6810-B. This exemption does not apply to scallops in any other form.

**Sec. 3. 12 MRSA §6301, sub-§2, ¶V**, as amended by PL 2013, c. 492, §2, is further amended to read:

V. A lobster processor license issued under section 6851-B expires on March 31st of each year; ~~and~~

**Sec. 4. 12 MRSA §6301, sub-§2, ¶W**, as enacted by PL 2013, c. 492, §3, is amended to read:

W. A commercial green crab only license issued under section 6808 expires on April 30th of each year; ~~and~~

**Sec. 5. 12 MRSA §6301, sub-§2, ¶X** is enacted to read:

X. An aquaculture license issued under section 6810-B expires on April 30th of each year.

**Sec. 6. 12 MRSA §6601, sub-§2-A,** as amended by PL 2013, c. 509, §9, is repealed.

**Sec. 7. 12 MRSA §6745, sub-§2-A,** as enacted by PL 2007, c. 522, §4, is repealed.

**Sec. 8. 12 MRSA §6746, sub-§2-A,** as enacted by PL 2007, c. 522, §5, is repealed.

**Sec. 9. 12 MRSA §6810-B** is enacted to read:

**§6810-B. Aquaculture license**

**1. Definition.** For the purposes of this section, "shellfish" means shellstock clams, quahogs other than mahogany quahogs, mussels and oyster shellstock.

**2. License required.** Beginning May 1, 2018, a person may not engage in the activities authorized under this section without a current aquaculture license.

**3. Licensed activities; all aquacultured organisms except shellfish.** The holder of an aquaculture license or authorized representative of the holder of an aquaculture license may remove, possess, transport within the state limits or sell cultured organisms, except shellfish, the holder has removed from the leased area described in the holder's lease issued under section 6072, 6072-A or 6072-B or cultured organisms, except shellfish, the holder has cultured pursuant to a license issued under section 6072-C. The department shall establish by rule a means to identify personnel and authorized representatives operating under the authority of such a license holder. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**4. Licensed activities; shellfish.** The holder of an aquaculture license or authorized representative of the holder of an aquaculture license may remove, possess, transport within the state limits or sell to a wholesale seafood license holder certified under section 6856 cultured shellfish the holder has removed from the leased area described in the holder's lease issued under section 6072, 6072-A or 6072-B or cultured shellfish the holder has cultured pursuant to a license issued under section 6072-C. Such a holder of an aquaculture license may also sell such shellstock from that license holder's home in the retail trade. A holder of an aquaculture license who is also the holder of a lease issued under section 6072 or 6072-A or that holder's authorized representative may sell such shellstock from the holder's lease site in the retail trade. The department shall establish by rule a means to identify personnel and authorized representatives operating under the authority of such a license holder. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**5. Exemption; limited-purpose aquaculture license for personal use.** Notwithstanding subsections 2, 3 and 4, the holder of a limited-purpose aquaculture license issued under section 6072-C may remove, possess or transport within the state limits organisms cultured under that license, subject to all other applicable requirements of this Part.

**6. Eligibility.** An aquaculture license may be issued only to an individual who holds a lease issued under section 6072, 6072-A or 6072-B or a license issued under section 6072-C.

**7. Fee.** The fee for an aquaculture license is \$133, of which \$74.75 must be deposited in the Aquaculture Management Fund established in section 6072-D.

**8. 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.

**Sec. 10. Effective date.** Those sections of this Act that amend the Maine Revised Statutes, Title 12, sections 6073-B and 6073-C and repeal Title 12, section 6601, subsection 2-A, Title 12, section 6745, subsection 2-A and Title 12, section 6746, subsection 2-A take effect May 1, 2018.

See title page for effective date, unless otherwise indicated.

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**CHAPTER 297**

**S.P. 591 - L.D. 1639**

**An Act To Promote Major  
Business Headquarters  
Expansions in Maine, Promote  
the Commercialization of  
Research and Development in  
Maine and Create Jobs**

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

**Sec. 1. 36 MRSA §191, sub-§2, ¶DDD** is enacted to read:

DDD. The disclosure to the joint standing committee of the Legislature having jurisdiction over taxation matters pursuant to section 5219-QQ, subsection 4, paragraph B of the revenue loss, including the loss due to refundable credits, attributable to each taxpayer claiming the tax credit for major business headquarters expansions provided under that section, regardless of the number of persons eligible for the credit.

**Sec. 2. 36 MRSA §5219-QQ** is enacted to read:

## **§5219-QQ. Credit for major business headquarters expansions**

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

A. "Certified applicant" means a qualified applicant that has received a certificate of approval from the commissioner pursuant to this section.

B. "Commissioner" means the Commissioner of Economic and Community Development.

C. "Employees based in the State" means employees that perform more than 50% of employee-related activities for the employer at the headquarters in the State.

D. "Facility" means one or more buildings and includes the real and personal property located in those buildings.

E. "Full-time" means an average of 36 hours weekly during the period of measurement.

F. "Headquarters" means the principal facility from which the applicant directs its national or global business activities, as determined by the commissioner at the time of application.

G. "Qualified applicant" means an applicant that, at the time an application for a certificate of approval is submitted, satisfies all of the following criteria:

(1) The applicant's headquarters are or will be located in the State;

(2) The applicant employs at least 5,000 full-time employees worldwide of which at least 25% are or will be based in this State;

(3) The applicant has business locations in at least 3 other states or foreign countries; and

(4) The applicant intends to make a qualified investment in the State within 5 years following the date of the application.

H. "Qualified investment" means an investment of at least \$35,000,000 to design, permit, construct, modify, equip or expand the applicant's headquarters in the State. The investments and activities of a qualified applicant and other entities that are members of the qualified applicant's unitary business must be aggregated to determine whether a qualified investment has been made. A qualified investment does not include an investment made prior to the issuance of a certificate of approval or after December 31, 2022.

**2. Procedures for application; certificate of approval.** The provisions of this subsection govern the procedures for providing for and obtaining a certificate of approval.

A. A qualified applicant may apply to the commissioner for a certificate of approval. An applicant shall submit to the commissioner information demonstrating that the applicant is a qualified applicant. If a certified applicant undertakes to make an additional qualified investment, the certified applicant may apply to the commissioner for an additional certificate of approval.

B. The commissioner, within 30 days of receipt of an application submitted pursuant to paragraph A, shall determine whether the applicant is a qualified applicant and shall issue either a certificate of approval or a written denial indicating why the applicant is not qualified. The certificate issued by the commissioner must describe the qualified investment and specify the total amount of qualified investment approved under the certificate.

C. Upon issuance of a certificate of completion in accordance with paragraph F, the commissioner shall issue, on behalf of the State, a memorandum to the qualified applicant describing the benefits provided by this section at the time the certificate of completion is issued. The memorandum must provide that the certificate of completion does not prohibit the commissioner from revoking a certificate in accordance with paragraph E and does not prohibit the assessor from assessing and collecting an overpaid benefit in accordance with the provisions of this Title.

D. A certified applicant shall obtain approval from the commissioner to transfer the certificate of approval or, if the certified applicant has obtained a certificate of completion, that certificate of completion to another person. A certificate of approval or certificate of completion may be transferred only if all or substantially all of the assets of the certified applicant are, or will be, transferred to that person or if 50% or more of the certified applicant's voting stock is, or will be, acquired by that person. The commissioner shall approve the transfer of the certificate of approval or the certificate of completion only if at least one of the following conditions is satisfied:

(1) The transferee is a member of the applicant's unitary affiliated group at the time of the transfer; or

(2) The commissioner finds that the transferee will, and has the capacity to, maintain operations of the headquarters in the State in a manner that meets the minimum qualifications for continued eligibility of benefits under this section after the transfer occurs.

If the commissioner approves the transfer of the certificate, the transferee, from the date of the transfer, must be treated as the certified applicant

and as eligible to claim any remaining benefit under the certificate of approval or the certificate of completion that has not been previously claimed by the transferor as long as the transferee meets the same eligibility requirements and conditions for the credit as applied to the original certified applicant.

E. The commissioner must revoke a certificate of approval if the certified applicant or a person to whom a certificate of approval has been transferred pursuant to paragraph D fails to make a qualified investment within 5 years of the date of the certificate of approval. The commissioner shall revoke a certificate of approval or a certificate of completion if the applicant ceases operations of the headquarters in the State or the certificate of approval or certificate of completion is transferred to another person without approval from the commissioner pursuant to paragraph D. A certified applicant whose certificate of completion is revoked within 5 years after the date issued shall within 60 days following revocation of the certificate return to the State an amount equal to the total credits claimed under this section. A certified applicant whose certificate of completion is revoked during the period from 6 years after through 10 years after the date the certificate was issued shall within 60 days following revocation of the certificate return to the State an amount equal to the total credits claimed under this section for the period from 6 years after through 10 years after the date the certificate was issued.

F. Upon making the qualified investment and completing the headquarters and employment criteria in subsection 1, paragraph H, a certified applicant shall submit an application to the commissioner for a certificate of completion. If the commissioner determines that a qualified investment has been made, the applicant's headquarters is located in the State and at least 25% of the applicant's full-time employees, as measured at the time of application for the certificate of approval, are based in the State, the commissioner shall issue a certificate of completion to the certified applicant as soon as is practical.

The commissioner may not issue certificates of approval under this subsection that total, in the aggregate, more than \$100,000,000 of qualified investment or any individual certificate of approval for more than \$40,000,000 of qualified investment.

**3. Refundable credit allowed.** A qualified applicant is allowed a credit as provided in this subsection.

A. Subject to the limitations under paragraph B, beginning with the tax year during which the certificate of completion is issued or the tax year beginning in 2020, whichever is later, and for each

of the following 19 tax years, a certified applicant is allowed a credit against the tax due under this Part for the taxable year in an amount equal to 2% of the certified applicant's qualified investment. The credit allowed under this paragraph is refundable.

B. The credit under this subsection is limited as follows:

(1) A credit is not allowed for any tax year during which the taxpayer does not meet or exceed the following employment targets as measured on the last day of the tax year.

(a) For each of the first 10 tax years for which the credit is claimed, there must be a total of at least 80 additional full-time employees based in the State whose jobs were added since the first day of the first tax year for which the credit was claimed multiplied by the number of years for which the credit has been claimed.

(b) For each tax year after the 10th tax year for which the credit is claimed, the taxpayer must employ a total of at least 800 additional full-time employees based in the State whose jobs were added since the first day of the first tax year for which the credit was claimed.

Jobs for additional full-time employees that are counted for determining eligibility for the credit under one certificate of completion may not be counted for determining eligibility for the credit under a separate certificate of completion.

(2) Cumulative credits under this subsection may not exceed \$16,000,000 under any one certificate.

**4. Reporting required.** A certified applicant and the commissioner are required to make reports pursuant to this subsection.

A. On or before March 1st of each year, a certified applicant shall file a report with the commissioner for the tax year ending during the immediately preceding calendar year, referred to in this paragraph as "the report year," containing the following information:

(1) The number of full-time employees based in this State of the certified applicant on the last day of the tax year ending during the calendar year immediately preceding the report year; and

(2) The incremental amount of qualified investment made in the report year.

The commissioner may prescribe forms for the annual report described in this paragraph. The

commissioner shall provide copies of the report to the State Tax Assessor and to the joint standing committee of the Legislature having jurisdiction over taxation matters at the time the report is received.

B. By April 1st of each year, the commissioner shall report to the joint standing committee of the Legislature having jurisdiction over taxation matters aggregate data on employment levels and qualified investment amounts of certified applicants for each year, and the State Tax Assessor shall report to the committee the revenue loss during the previous calendar year, including the loss due to refundable credits, as a result of this section for each taxpayer claiming the credit.

Notwithstanding any other provision of law to the contrary, the reports provided under this subsection are public records as defined in Title 1, section 402, subsection 3.

**Sec. 3. Credit design evaluation.** By February 28, 2018, the Office of Program Evaluation and Government Accountability, referred to in this section as "the office," shall complete and submit to the Joint Standing Committee on Taxation and the Government Oversight Committee a tax expenditure design evaluation review of the credit for major business headquarters expansions established under the Maine Revised Statutes, Title 36, section 5219-QQ, referred to in this section as "the tax expenditure." The review must include an assessment of:

1. The extent to which the design of the tax expenditure supports accomplishment of the tax expenditure's purposes, intent and goals;
2. The extent to which the design of the tax expenditure directs benefits to the intended beneficiaries; and
3. The extent to which the State's current or planned administration of the tax expenditure, including enforcement efforts, is efficient and effective.

The office shall include with the review recommended performance measures appropriate for analyzing the evaluation objectives established for full evaluations under Title 3, section 999, subsection 1, paragraph A and make recommendations regarding data that would be necessary to perform the analyses. The Joint Standing Committee on Taxation may submit a bill to the Second Regular Session of the 128th Legislature regarding the credit for major business headquarters expansions.

**Sec. 4. Legislative findings, purpose.** The Legislature finds that it is in the best interest of the people of the State of Maine to encourage the location and expansion of major business headquarters in the State and to encourage the recruitment and training of employees for these facilities. The Legislature further

finds that the location and expansion of major business headquarters in Maine will create jobs, benefit small businesses that supply goods and services to the major business headquarters and its employees, increase the tax base and provide many other direct and indirect economic benefits to the State.

The purpose of this credit is to create high-quality jobs in the State by encouraging major businesses to locate their headquarters in this State or to expand their headquarters in the State.

See title page for effective date.

## CHAPTER 298

H.P. 1134 - L.D. 1643

### An Act To Provide Funding to the Loring Development Authority of Maine for Implementation Grants

**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:**

**Sec. 1. Department of Economic and Community Development, Office of Innovation program, Maine Technology Institute; fiscal year 2017-18.** Notwithstanding any other provision of law, \$750,000 of funds in the All Other line category in the Department of Economic and Community Development, Office of Innovation program, Maine Technology Institute, General Fund account lapses to the unappropriated surplus of the General Fund no later than June 30, 2018.

**Sec. 2. Department of Economic and Community Development, Office of Innovation program, Maine Technology Institute; fiscal year 2018-19.** Notwithstanding any other provision of law, \$750,000 of funds in the All Other line category in the Department of Economic and Community Development, Office of Innovation pro-

gram, Maine Technology Institute, General Fund account lapses to the unappropriated surplus of the General Fund no later than June 30, 2019.

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

**ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF**

**Business Development 0585**

Initiative: Provides one-time funding for implementation grants to the Loring Development Authority of Maine upon the recommendation of the Commissioner of Economic and Community Development and the approval of the Governor.

GENERAL FUND	2017-18	2018-19
All Other	\$750,000	\$750,000
<b>GENERAL FUND TOTAL</b>	<b>\$750,000</b>	<b>\$750,000</b>

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

Effective August 2, 2017.

**CHAPTER 299**

**S.P. 543 - L.D. 1552**

**An Act To Authorize a General Fund Bond Issue To Improve Highways, Bridges and Multimodal Facilities and Upgrade Municipal Culverts**

**Preamble.** Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14 to authorize the issuance of bonds on behalf of the State of Maine to provide funds as described in this Act,

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

**Sec. 1. Authorization of bonds.** The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$105,000,000 for the purposes described in section 5 of this Act. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 10 years from the date of the original issue of the bonds.

**Sec. 2. Records of bonds issued; Treasurer of State.** The Treasurer of State shall ensure that an account of each bond is kept showing the number of

the bond, the name of the successful bidder to whom sold, the amount received for the bond, the date of sale and the date when payable.

**Sec. 3. Sale; how negotiated; proceeds appropriated.** The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in this Act lapse to the Office of the Treasurer of State to be used for the retirement of general obligation bonds.

**Sec. 4. Interest and debt retirement.** The Treasurer of State shall pay interest due or accruing on any bonds issued under this Act and all sums coming due for payment of bonds at maturity.

**Sec. 5. Disbursement of bond proceeds from General Fund bond issue.** The proceeds of the sale of the bonds authorized under this Act must be expended as designated in the following schedule under the direction and supervision of the agencies and entities set forth in this section.

**TRANSPORTATION, DEPARTMENT OF**

Provides funds to construct, reconstruct or rehabilitate Priority 1, Priority 2 and Priority 3 state highways under the Maine Revised Statutes, Title 23, section 73, subsection 7 and for associated improvements, for the department's municipal partnership initiative and to replace and rehabilitate bridges.

Total \$80,000,000

Provides funds for facilities or equipment, including property acquisition, related to ports, harbors, marine transportation, aviation, freight and passenger railroads, transit and bicycle and pedestrian trails that preserve public safety or otherwise have demonstrated high economic value.

Total \$20,000,000

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

Provides funds for a competitive grant program that matches local funding for the upgrade of municipal culverts at stream crossings in order to improve fish and wildlife habitats and increase community safety. Eligible project sponsors in-

clude local governments, municipal conservation commissions, soil and water conservation districts and private nonprofit organizations. A proposal for funding from an eligible project sponsor must include a map and summary of the proposed project, describing how it meets the following criteria:

1. Contribution to competitive grant program goals. The extent to which the proposed project allows communities to more effectively prepare for storm and flood events and advances the goals of restoring habitat for fish, including sea-run fish and native brook trout, and wildlife, including:

A. The priority status of the culvert to be upgraded or replaced for native brook trout and sea-run fish restoration, based on available stream survey data, statewide prioritization for aquatic connectivity and presence in priority watersheds of salmon, alewives and other diadromous fishes;

B. Confirmation that the culvert proposed for upgrade or replacement is on a municipal road, not a state road or private road;

C. The extent to which the proposed project meets the Department of Environmental Protection's design standard of at least 1.2 times the stream's bankfull width, with a natural stream bottom or embedded structure, and meets or exceeds the Department of Transportation's 100-year flood standard;

D. The degree of urgency of the proposed project, including whether a culvert is at high risk of failure due to age, location within a watershed or reach with high flood risk or severe flood history; and

E. The expected contribution to reducing the frequency or severity of flooding to upstream and downstream communities and improving storm water management within the proposed project area; and

2. Cost-effectiveness. The extent to which the proposed project represents an efficient and cost-effective investment, including the proportion of total project funding that will be provided from other sources and the potential avoided costs associated with the proposed project. Funds may not be used to cover all of the costs associated with a proposed project.

Total \$5,000,000

**Sec. 6. Contingent upon ratification of bond issue.** Sections 1 to 5 do not become effective unless the people of the State ratify the issuance of the bonds as set forth in this Act.

**Sec. 7. Appropriation balances at year-end.** At the end of each fiscal year, all unencumbered

appropriation balances representing state money carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds lapse to the Office of the Treasurer of State to be used for the retirement of general obligation bonds.

**Sec. 8. Bonds authorized but not issued.**

Any bonds authorized but not issued within 5 years of ratification of this Act are deauthorized and may not be issued, except that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds for an additional amount of time not to exceed 5 years.

**Sec. 9. Referendum for ratification; submission at election; form of question; effective date.** This Act must be submitted to the legal voters of the State at a statewide election held in the month of November 2017. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor a \$105,000,000 bond issue for construction, reconstruction and rehabilitation of highways and bridges and for facilities or equipment related to ports, harbors, marine transportation, freight and passenger railroads, aviation, transit and bicycle and pedestrian trails, to be used to match an estimated \$137,000,000 in federal and other funds, and for the upgrade of municipal culverts at stream crossings?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If a majority of the legal votes are cast in favor of this Act, the Governor shall proclaim the result without delay and this Act becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purposes of this referendum.

Effective pending referendum.

**CHAPTER 300**  
**S.P. 216 - L.D. 654**

**An Act To Amend the Laws  
Governing Certain Sexual  
Offenses**

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

**Sec. 1. 17-A MRSA §253, sub-§2, ¶¶K and L** as enacted by PL 2011, c. 423, §3, are amended to read:

K. The actor owns, operates or is an employee of an organization, program or residence that is operated, administered, licensed or funded by the Department of Health and Human Services and the other person, not the actor's spouse, receives services from the organization, program or residence and suffers from a mental disability that is reasonably apparent or known to the actor. Violation of this paragraph is a Class C crime; or

L. The actor is employed to provide care to a dependent person, who is not the actor's spouse or domestic partner and who is unable to perform self-care because of advanced age or physical or mental disease, disorder or defect. For the purposes of this paragraph, "domestic partners" means 2 unmarried adults who are domiciled together under a long-term arrangement that evidences a commitment to remain responsible indefinitely for each other's welfare. Violation of this paragraph is a Class C crime; or

**Sec. 2. 17-A MRSA §253, sub-§2, ¶M** is enacted to read:

M. The other person has not expressly or impliedly acquiesced to the sexual act. Violation of this paragraph is a Class C crime.

**Sec. 3. 17-A MRSA §253, sub-§3**, as repealed and replaced by PL 2007, c. 474, §2, is repealed.

See title page for effective date.

**CHAPTER 301**  
**H.P. 574 - L.D. 794**

**An Act Regarding the Taxation  
of Flavored Malt Beverages**

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

**Sec. 1. 28-A MRSA §2, sub-§16-A**, as amended by PL 2011, c. 629, §4, is further amended to read:

**16-A. Low-alcohol spirits product.** "Low-alcohol spirits product" means a product containing spirits that has an alcohol content of 8% or less by volume. Beginning July 1, 2019, "low-alcohol spirits product" does not mean a flavoring, such as an extract or concentrate, added to a malt beverage or wine that:

A. May or may not contain alcohol;

B. Is not intended to be consumed alone as a beverage or a food product but serves as a flavor enhancement to a beverage or a food product; and

C. Is not, prior to being added to a malt beverage or wine, subject to excise tax under chapter 65.

**Sec. 2. 28-A MRSA §2, sub-§31**, as amended by PL 1999, c. 535, §2, is further amended to read:

**31. Spirits.** "Spirits" means any liquor produced by distillation or, if produced by any other process, strengthened or fortified by the addition of distilled spirits of any kind. "Spirits" does not include low-alcohol spirits products or fortified wine. Beginning July 1, 2019, "spirits" does not mean an additive or flavoring, such as an extract or concentrate, that:

A. Contains alcohol;

B. Is not intended to be consumed alone as a beverage or a food product but serves as a flavor enhancement to a beverage or a food product; and

C. Is not subject to excise tax under chapter 65.

**Sec. 3. Classification of certain malt-based or wine-based products for tax purposes; intent.** The Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations may not impose the tax described under the Maine Revised Statutes, Title 28-A, section 1652, subsection 1-A or the tax described under Title 28-A, section 1365 on any malt liquor-based or wine-based product not previously listed by the bureau as of June 1, 2017 or subject to a tax under Title 28-A, section 1652, subsection 1-A or section 1365 based on the fact that a flavoring, extract or concentrate has been added to the product that:

1. May or may not contain alcohol;

2. Is not intended to be consumed alone as a beverage or a food product but serves as a flavor enhancement to a beverage or a food product; and

3. Is not, prior to being added to a malt beverage or wine, subject to excise tax under chapter 65.

This section is not intended to affect the application of the tax described under Title 28-A, section 1652, subsection 1-A or the tax described under Title 28-A, section 1365 to any malt liquor-based or wine-based product described in this section that was listed with the bureau prior to June 1, 2017.

See title page for effective date.

**CHAPTER 302**

**H.P. 872 - L.D. 1249**

**An Act To Create the  
Emergency Medical Services  
Registration Plate**

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

**Sec. 1. 29-A MRSA §519-A** is enacted to read:

**§519-A. Registration plates for emergency medical services persons**

**1. Authority to issue special registration plates.** Notwithstanding section 468-A and upon application by an emergency medical services person licensed under Title 32, chapter 2-B whose status is certified by the Director of Maine Emergency Medical Services within the Department of Public Safety, the Secretary of State shall issue a set of special emergency medical services registration plates to that person.

**2. Registration plate design.** The Secretary of State may design a numerical registration plate to be issued under this section.

**3. Use of registration plates.** The registration plates issued under this section may be used on only one motor vehicle with a registered gross weight of not more than 10,000 pounds.

**4. Fee for registration plates.** A one-time fee of \$5 is charged for a set of emergency medical services registration plates in addition to the annual motor vehicle registration fee required by section 501.

**5. Recall of registration plates.** When an emergency medical services person is no longer licensed under Title 32, chapter 2-B, the Director of Maine Emergency Medical Services within the Department of Public Safety shall notify the Secretary of State and the Secretary of State shall recall any registration plates issued to that person under this section.

**6. Vanity registration plates.** The Secretary of State shall issue emergency medical services registration plates that are also vanity plates. Emergency medical services registration vanity plates are issued in accordance with section 453. Emergency medical services registration vanity plates may not duplicate vanity registration plates in any other class of plate.

**7. Date of first issue.** The Secretary of State shall issue emergency medical services registration plates on or after January 1, 2018.

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

**SECRETARY OF STATE, DEPARTMENT OF  
Administration - Motor Vehicles 0077**

Initiative: Provides a one-time allocation to manufacture and issue registration plates for emergency medical services personnel.

HIGHWAY FUND	2017-18	2018-19
All Other	\$8,452	\$0
<b>HIGHWAY FUND TOTAL</b>	<b>\$8,452</b>	<b>\$0</b>

See title page for effective date.

**CHAPTER 303**

**S.P. 449 - L.D. 1320**

**An Act To Regulate Fantasy  
Sports Contests**

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

**Sec. 1. 8 MRSA §1003, sub-§5** is enacted to read:

**5. Additional duties of the director.** The director also serves as the director of the Gambling Control Unit within the department. As director of the Gambling Control Unit, the director shall administer and enforce the laws governing fantasy contests under chapter 33.

**Sec. 2. 8 MRSA c. 33** is enacted to read:

**CHAPTER 33**

**REGULATION OF FANTASY CONTESTS**

**§1101. Definitions**

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

**1. Beginner fantasy contestant.** "Beginner fantasy contestant" means an individual who has entered fewer than 51 fantasy contests offered by a single fantasy contest operator.

**2. Director.** "Director" means the director of the Gambling Control Unit within the Department of Public Safety.

**3. Entry fee.** "Entry fee" means cash or a cash equivalent that is required to be paid by a fantasy contestant to a fantasy contest operator in order to participate in a fantasy contest.

**4. Fantasy contest.** "Fantasy contest" means a simulated game or contest in which:

A. One or more fantasy contestants pay an entry fee to participate;

B. Fantasy contestants compete against each other by using their knowledge and understanding of sports events and persons engaged in those sports events to select and manage a simulated team roster whose performance directly corresponds with the actual performance of human competitors on sports teams and in sports events; and

C. The outcome of the game or contest reflects the relative knowledge and skill of the contestants and does not depend on the performance of any one participant in a sports event or the outcome of any one sports event but is determined predominantly by accumulated statistical results of the performance of individual competitors on sports teams and in sports events.

**5. Fantasy contestant.** "Fantasy contestant" means an individual who participates in a fantasy contest offered by a fantasy contest operator.

**6. Fantasy contest operator.** "Fantasy contest operator" means a person that offers a platform for the playing of fantasy contests and that administers a fantasy contest for which a prize of value is awarded.

**7. Gross fantasy contest revenues.** "Gross fantasy contest revenues" means the amount determined by subtracting the total of all sums paid out by a fantasy contest operator as cash prizes to all fantasy contestants from the total of all entry fees that the fantasy contest operator collects from all fantasy contestants and multiplying the result by the resident percentage. Sums paid out as prizes may not include the cash equivalent of any merchandise or something of value awarded as a prize.

**8. Highly experienced fantasy contestant.** "Highly experienced fantasy contestant" means a fantasy contestant who has:

A. Entered more than 1,000 fantasy contests operated by a single fantasy contest operator; or

B. Won more than 3 prizes of \$1,000 or more each from a single fantasy contest operator.

**9. Platform.** "Platform" means an online or electronic method by which access to a fantasy contest is provided, including, but not limited to, a website, personal digital device, such as a device commonly known as a smartphone, or other application providing access to a fantasy contest.

**10. Resident percentage.** "Resident percentage" means, for each fantasy contest, the percentage, rounded to the nearest tenth of a percent, obtained by dividing the total amount of entry fees collected from

fantasy contestants located in the State by the total amount of entry fees collected from all fantasy contestants.

### **§1102. Power and duties of director**

**1. Powers.** In administering and enforcing this chapter, the director may:

A. Pursuant to section 1103, issue or deny any application and limit, restrict, suspend or revoke any license issued under this chapter;

B. Review reports of the investigation and qualifications of an applicant before a license is issued;

C. Prescribe the manner for the collection of all license fees and revenues under this chapter;

D. Adopt rules the director determines necessary to administer this chapter;

E. Investigate complaints regarding the conduct of fantasy contests in violation of this chapter and rules adopted pursuant to this chapter;

F. Impose sanctions, penalties and costs of investigation and hearing against an applicant or licensee for violation of this chapter or rules adopted pursuant to this chapter;

G. Review and approve each platform for compliance with the provisions of this chapter and rules adopted pursuant to this chapter; and

H. Conduct a financial audit of any licensee, at any time, to ensure compliance with this chapter.

### **§1103. License to conduct fantasy contests**

The director shall exercise authority over the licensing of all persons operating fantasy contests in the State.

**1. License required.** A person or fantasy contest operator may not offer a fantasy contest in the State without first being licensed by the director, except during such time as the person's or fantasy contest operator's application for a license is pending before the director as provided in subsection 9.

**2. Application.** Applications for a license must be submitted in a manner prescribed by the director.

**3. Content of application.** An application submitted to the director must, at a minimum, include the following:

A. The name, primary business location and contact information of the applicant;

B. Disclosure of ownership interests in the applicant;

C. Consent to permit the director to conduct a criminal background check;

D. The applicant's interest, if any, in other fantasy contest operators licensed in the State or another jurisdiction;

E. Gross fantasy contest revenues in the State, and any other jurisdiction as determined by the director, for the period of 12 months preceding the application;

F. The type and estimated number of fantasy contests to be conducted during the term of the license and during any period of operation authorized under subsection 9;

G. The methods by which the fantasy contest operator will determine and verify the geographic location of a fantasy contestant using the operator's platform;

H. The methods by which the fantasy contest operator will protect a fantasy contestant's personal and private information; and

I. Any additional information required by the director or as determined by rule to ensure that the applicant meets licensing criteria.

**4. Signature as consent.** Submission of a signed application is consent of the applicant to be subject to the laws and rules prescribed by this chapter for the operation of fantasy contests.

**5. Application fee.** The director may charge a one-time application fee limited to the projected cost of processing the application and performing any background investigations. If the application fee exceeds the actual cost of processing the application and performing background investigations, the excess amount must be applied to the license fee, if the applicant is issued a license, or reimbursed to an applicant not subject to a license fee in accordance with subsection 6 or to an applicant that was not issued a license.

**6. License fee; term.** The initial and renewal fee for a license for a fantasy contest operator that had gross fantasy contest revenues during the 12 months preceding application equal to or greater than \$100,000 is \$2,500. A fantasy contest operator that had gross fantasy contest revenues during the 12 months preceding application of less than \$100,000 is not required to pay a license fee. Licenses must be renewed annually.

**7. Denial of license; suspension, refusal to renew and revocation.** The director may deny an application for licensure or suspend, refuse to renew or revoke a license issued pursuant to this chapter upon finding that the applicant or licensee or any partner, officer, director or shareholder of the applicant or licensee has:

A. Made a false statement on an initial application or application for renewal or has deliberately

failed to disclose any information required by the director;

B. Legally defaulted in the payment of any obligation or debt due to the State;

C. Violated any provision of this chapter or rules adopted pursuant to this chapter; or

D. Been determined, upon investigation and finding by the director, to have a background, including a criminal record, business associations, questionable business practices or prior activities, that poses a threat to the public interest or the security and integrity of the conduct of fantasy contests.

**8. Appeals.** A person aggrieved by the decision of the director in denying an application for license or refusing to renew, suspending, revoking or denying transfer of a license issued under this chapter or in imposing disciplinary sanctions prescribed by rules adopted pursuant to this chapter may appeal the decision to the Commissioner of Public Safety for a final decision. The director's decision stands until the commissioner issues a decision to uphold, modify or overrule the director's decision. In the case of appeal to the commissioner, the person must be afforded the opportunity for an adjudicatory hearing in accordance with this chapter and the Maine Administrative Procedure Act. A person aggrieved by the final decision of the commissioner may appeal the commissioner's decision to the Superior Court in accordance with Title 5, chapter 375, subchapter 7.

**9. Operation pending application approval.** A fantasy contest operator applying for an initial license, a license renewal or a license transfer under this chapter may operate fantasy contests during the period the application is pending unless the director, for reasonable cause, believes that the applicant is or may be in violation of the provisions of this chapter or rules adopted pursuant to this chapter. In that case, the director shall notify the applicant in writing that the applicant may not operate or must suspend the operation of any fantasy contest until the license or renewal or transfer of licensure is issued.

**10. Transfer.** A license issued under this chapter may be transferred upon submission of an application for transfer and approval of the director. If the person to whom the license is being transferred is not licensed as a fantasy contest operator, the director shall require application in the same manner as, or a similar manner to, an initial application as prescribed under this section.

#### **§1104. Conditions of licensure**

**1. Conditions of operation.** As a condition of licensure, a fantasy contest operator shall submit evidence that the fantasy contest operator has established and will implement procedures for fantasy contests that:

A. Prevent the fantasy contest operator and directors, officers and employees of the fantasy contest operator, and relatives living in the same household as those persons, from participating in a fantasy contest offered or operated by that fantasy contest operator;

B. Prevent the sharing with 3rd parties of confidential information that could affect the outcome of a fantasy contest until the information is made publicly available. As used in this paragraph, "confidential information" means information related to the play of a fantasy contest by fantasy contestants obtained as a result of or by virtue of a person's employment;

C. Provide that a winning outcome may not be based on the score, point spread or performance of a single actual sports team or combination of such teams or solely on a single performance of an individual athlete or participant in a single actual sports event;

D. Prohibit the following individuals from participating in a fantasy contest based on the sport, athletic event or competition in which the individual participates or is otherwise associated:

(1) An athlete or individual who participates or officiates in a game, league, athletic event or competition that is the subject of a fantasy contest; or

(2) A sports agent, team employee, referee or umpire or league official associated with a sport or athletic event that is the subject of a fantasy contest;

E. Verify that a fantasy contestant in a fantasy contest is 18 years of age or older. If the licensee discovers that a person under 18 years of age has accessed the platform as a potential or active fantasy contestant, the licensee shall immediately refund any entry fees or other deposits made by the person under 18 years of age;

F. Publish and facilitate parental control procedures to permit adults to exclude minors from access to the platform and fantasy contests offered by the fantasy contest operator;

G. Provide fantasy contestants with access to information on responsible play;

H. Provide fantasy contestants with access to information on seeking assistance for compulsive behavior;

I. Disclose the number of entries that a fantasy contestant may submit to each fantasy contest and provide reasonable steps to prevent fantasy contestants from submitting more than the allowable number;

J. Allow individuals to restrict themselves from entering fantasy contests upon request and provide reasonable steps to prevent the individuals from entering fantasy contests offered by the fantasy contest operator;

K. Ensure that a fantasy contest is not offered on a prohibited sports event;

L. Limit each fantasy contestant to one active and continuously used account;

M. Protect the privacy and security of a fantasy contestant's information and accounts maintained or accessed by the fantasy contest operator; and

N. Prohibit the extension of credit from the fantasy contest operator to a fantasy contestant.

**2. Certain leagues and contests prohibited.** A fantasy contest operator may not offer a fantasy contest based on the performances of participants in collegiate or high school athletic events or other athletic events involving participants under 18 years of age.

**3. Notice of prizes required.** A fantasy contest operator shall provide publicly available notice of all prizes offered to a winning contestant in advance of the fantasy contest.

**4. Contestant funds segregated; reserve account; audit.** A fantasy contest operator licensed under this chapter shall:

A. Segregate fantasy contestant funds from operational funds;

B. Maintain a reserve that exceeds the amount of entry fees and any other funds on deposit; this reserve may not be used for operational activities. Reserve funds may take the form of cash, cash equivalents, payment processor reserves, payment processor receivables, an irrevocable letter of credit, a bond or any combination thereof, and must be in an amount that exceeds the total balances of the fantasy contestants' accounts with the fantasy contest operator;

C. Annually contract with a certified public accountant to conduct an independent audit, consistent with the standards accepted by the American Institute of Certified Public Accountants or a successor organization, to ensure compliance with paragraph B, except that fantasy contest operators with annual gross fantasy contest revenues of less than \$100,000 are not required to contract with a certified public accountant as prescribed by this paragraph unless required by the director, in which case the director shall notify the operator and allow a reasonable period of time to comply with the director's requirement for an independent audit; and

D. Provide to the director a copy of the audit report prepared pursuant to paragraph C. Informa-

tion submitted to the director pursuant to this paragraph is deemed to contain information regarding trade practices of the operator and is confidential and is not a public record within the meaning of Title 1, chapter 13, subchapter 1.

**5. Annual report.** By June 30th of each year, a fantasy contest operator licensed under this chapter shall submit a report to the director that includes the following information regarding accounts with the fantasy contest operator held by fantasy contestants in the State:

A. The number of accounts held by fantasy contestants on all platforms offered by the fantasy contest operator. The fantasy contest operator must identify the number of accounts held by highly experienced fantasy contestants on all platforms offered by the fantasy contest operator;

B. The total number of new accounts established and accounts permanently closed in the preceding year or, if the fantasy contest operator has been licensed for less than one year, the number of new accounts and permanently closed accounts in the period since the fantasy contest operator's license was issued;

C. The total amount of entry fees received from fantasy contestants in the State;

D. The total value and number of prizes awarded to fantasy contestants in the State;

E. The total amount of gross fantasy contest revenues received by the fantasy contest operator; and

F. The total number of fantasy contestants who requested to restrict themselves from participating in fantasy contests on all platforms offered by the fantasy contest operator.

Upon submission of a report required by this subsection to the director, to the extent the director considers it necessary to ensure the fantasy contest operator's compliance with this chapter and rules adopted pursuant to this chapter, the director is authorized to conduct a financial audit of the fantasy contest operator. The report of an audit conducted by the director pursuant to this subsection is deemed to contain information regarding trade practices of the operator and is confidential and is not a public record within the meaning of Title 1, chapter 13, subchapter 1.

### **§1105. Operation of fantasy contests; allocation of funds**

**1. Operation of fantasy contests.** A fantasy contest operator licensed under this chapter shall:

A. Disclose the number of entries that a fantasy contestant may submit to each fantasy contest and provide reasonable steps to prevent fantasy con-

testants from submitting more than the allowable number;

B. Prohibit fantasy contestants from submitting more than one entry in any fantasy contest involving 12 entries or fewer;

C. Prohibit fantasy contestants from submitting more than 2 entries in any fantasy contest involving more than 12 entries but fewer than 36 entries;

D. Prohibit fantasy contestants from submitting more than 3 entries in any fantasy contest involving 36 or more entries but fewer than 101 entries;

E. Prohibit, unless otherwise provided by this chapter, fantasy contestants from submitting more than 3% of all entries in any fantasy contest involving more than 100 entries;

F. Permit unlimited entries in no more than 3% of all fantasy contests; the entry fee for such contests must be a minimum of \$150; and

G. Inform fantasy contestants of state and federal tax obligations on certain winnings.

**2. Allocation of funds.** The director shall collect for deposit to the General Fund 10% of gross fantasy contest revenues, including any revenues earned while operating pending approval of an application submitted to the director as described in section 1103, subsection 9, from a fantasy contest operator licensed under this chapter that has gross fantasy contest revenues of \$100,000 or greater.

### **§1106. Rules**

The director shall adopt rules for the proper enforcement and administration of this chapter. When rules are initially adopted as required by this section, rules are major substantive rules as defined by Title 5, chapter 375, subchapter 2-A. Amendments or changes to those rules, after initial adoption, are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A.

**1. Required rules.** Rules adopted pursuant to this section must include but are not limited to the following:

A. Prohibiting the operator from making statements that are not accurate or are misleading regarding the likelihood of winning;

B. Requiring disclosure of the number of entries an individual fantasy contestant may submit to each fantasy contest and the maximum number of entries allowed by a fantasy contest operator for each contest;

C. Prohibiting advertisements or promotions that target minors and individuals with gambling addiction, including individuals who have requested to be restricted from play on a fantasy contest operator's platform;

D. Requiring the fantasy contest operator to provide information on how to participate and compete in fantasy contests, including an explanation of fantasy contest play and how to identify a highly experienced fantasy contestant;

E. Requiring a system that identifies a highly experienced fantasy contestant by means of a symbol or other identifier easily viewed by fantasy contestants engaged in the fantasy contest on the platform;

F. Prohibiting the use of 3rd-party scripts or 3rd-party scripting programs for any fantasy contest and implementing methods to detect, deter and to the greatest extent possible prevent cheating and improper manipulation of the fantasy contest;

G. Requiring the implementation of a system within the platform by which a fantasy contestant may submit a complaint against the fantasy contest operator and requiring the fantasy contest operator to respond to the complaint within 48 hours;

H. Requiring the maintenance of records of fantasy contestant accounts, which must be made available to the director upon request, for a period of up to 5 years;

I. Requiring the development and offering of fantasy contests limited to beginner fantasy contestants; and

J. Requiring the fantasy contest operator to ensure that winning outcomes reflect the relative knowledge and skill of the fantasy contestant and that winning outcomes are determined primarily by accumulated statistical results of the performance of human competitors in sports events.

**§1107. Violations and penalties**

**1. Violation.** A person, firm, corporation or association or an agent or employee of one of those entities may not violate this chapter or a rule adopted pursuant to this chapter.

**2. Penalty.** For each violation of this chapter or any rule adopted pursuant to this chapter, the director may:

- A. Impose a fine of up to \$1,000 per violation; or
- B. Impose a fine not to exceed \$5,000 for violations arising out of the same transaction or occurrence.

**§1108. Applicability of other laws**

Unless expressly provided in this chapter, the provisions of Title 17, chapter 62 and Title 17-A, chapter 39 do not apply to the conduct of fantasy contests operated in accordance with this chapter and rules adopted pursuant to this chapter.

**Sec. 3. Operation of fantasy contests prior to availability of application for licensure.**

Notwithstanding the Maine Revised Statutes, Title 8, section 1103, subsection 1, a person who offered fantasy contests to persons located in the State prior to the effective date of this Act may continue to offer contests to persons located in the State until 60 days after the date that the director of the Gambling Control Unit within the Department of Public Safety begins accepting applications for a fantasy contest operator license as prescribed by Title 8, chapter 33 and rules adopted in accordance with Title 8, chapter 33.

**Sec. 4. Appropriations and allocations.**

The following appropriations and allocations are made.

**PUBLIC SAFETY, DEPARTMENT OF Gambling Control Board Z002**

Initiative: Provides appropriations for one Information System Security Analyst position and related costs for oversight of fantasy contest gaming.

GENERAL FUND	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$95,487	\$98,352
All Other	\$4,442	\$4,442
<b>GENERAL FUND TOTAL</b>	<b>\$99,929</b>	<b>\$102,794</b>

See title page for effective date.

**CHAPTER 304**

**S.P. 178 - L.D. 517**

**An Act To Amend Principles of Reimbursement for Residential Care Facilities**

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

**Sec. 1. 22 MRSA §7863** is enacted to read:

**§7863. Reimbursement for residential care facilities; room and board costs**

**1. New construction, acquisitions and renovations.** Notwithstanding any other law to the contrary, the department shall permit a capital expenditure by a residential care facility for new construction, an acquisition or a renovation that is less than \$500,000 and shall provide reimbursement to the facility for the capital expenditure without prior approval. The department shall permit a residential care facility to seek and obtain approval for a capital expenditure that exceeds \$500,000. The department shall require that

capital expenditures for energy efficiency improvements, for replacement equipment, for information systems, for communications systems and for parking lots and garages be permitted without prior approval and not be counted toward the determination of the \$500,000 threshold.

**2. Extraordinary circumstance allowance.** A residential care facility that experiences an unforeseen and uncontrollable event during a year that results in unforeseen or uncontrollable increases in expenses may request an adjustment to a prospective rate in the form of an extraordinary circumstance allowance. As used in this subsection, "extraordinary circumstance" includes, but is not limited to, an event of a catastrophic nature, an increase in minimum wage or social security expenses or employee retirement contribution expenses in lieu of social security expenses, a change in the number of licensed beds and a change in licensure or accreditation requirements. If the department concludes that an extraordinary circumstance existed, the department shall make an adjustment in the form of a supplemental allowance. The department shall determine from the nature of the extraordinary circumstance whether the extraordinary circumstance will have a continuing impact and whether the allowance should be included in the computation of the base rate for the succeeding year. Reimbursement to a residential care facility for additional costs arising from an extraordinary circumstance must be paid via a supplemental payment that is added to the per diem reimbursement rate until the department adjusts the direct care price, the routine limit and the personal care services limit, as applicable, to fairly and properly reimburse a facility for these costs.

**3. Regulatory compliance costs.** Costs incurred by a residential care facility to comply with changes in federal or state laws, regulations and rules or local ordinances and not otherwise specified in rules adopted by the department are considered reasonable and necessary costs. Reimbursement for these additional regulatory costs must be paid via a supplemental payment that is added to the per diem rate until the department adjusts the direct care price, the routine limit and the personal care services limit, as applicable, to fairly and properly reimburse facilities for these costs.

**4. Rulemaking.** The department shall 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 305 S.P. 307 - L.D. 952

### An Act To Ensure Access to Opiate Addiction Treatment in Maine

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

**Sec. 1. 32 MRSA §2212** is enacted to read:

#### **§2212. Dispensing opioid medication to patients in opioid treatment programs**

A registered professional nurse and a certified nurse practitioner may dispense opioid medication for substance abuse treatment purposes to patients within an opioid treatment program under the direction of the medical director of the opioid treatment program.

**Sec. 2. 32 MRSA §2258-B** is enacted to read:

#### **§2258-B. Dispensing opioid medication to patients in opioid treatment programs**

A licensed practical nurse may dispense opioid medication for substance abuse treatment purposes to patients within an opioid treatment program under the direction of the medical director of the opioid treatment program.

**Sec. 3. MaineCare reimbursement rates for outpatient opioid treatment.** The Department of Health and Human Services may amend its rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 65, Behavioral Health Services regarding the reimbursement rate paid to outpatient opioid treatment providers to increase the rate from \$60 if the department determines that an increase is justified.

**Sec. 4. Outpatient opioid treatment providers opening days.** The office of substance abuse and mental health services, division of licensing and regulatory services within the Department of Health and Human Services shall amend its rule Chapter 5: Regulations for Licensing and Certifying of Substance Abuse Treatment Programs to permit outpatient opioid treatment providers to remain open 6 days per week rather than 7 days per week.

**Sec. 5. Authority to report out legislation.** The Joint Standing Committee on Health and Human Services may report out a bill to the Second Regular Session of the 128th Legislature directing the Department of Health and Human Services to amend its rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 65, Behavioral Health Services regarding the reimbursement rate paid to outpatient opioid treatment providers in order to increase that rate.

See title page for effective date.

**CHAPTER 306  
H.P. 908 - L.D. 1311**

**An Act To Amend the Law  
Regarding Notice of Claim  
Recordings by Statutory Road  
Associations**

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

**Sec. 1. 23 MRSA §3104**, as amended by PL 2013, c. 198, §10, is further amended to read:

**§3104. Penalties and process**

Money recovered under sections 3102 and 3103 is for the use of the owners. In any notice of claim or process for the money's recovery, a description of the owners ~~in general terms~~ as owners of parcels of land benefited by the private road, private way or bridge by name, clearly describing each owner's parcel of land by the book and page number of the owner's deed as recorded in the county's registry of deeds and the private road, private way or bridge, is sufficient. If the private road, private way or bridge is shown on a plan recorded in the county's registry of deeds, the plan's recording reference is sufficient. Such process is not abated by the death of any owner or by the transfer of any owner's interest. Any money owed pursuant to section 3101, 3102 or 3103 is an obligation that is personal to the owners of the subject parcels, jointly or severally, and also burdens the parcel and runs with the land upon the transfer of any owner's interest. After June 30, 2018, any money owed pursuant to section 3101, 3102 or 3103 is not an obligation that burdens the parcel or runs with the land upon the transfer of any owner's interest unless a notice of claim is recorded in the county's registry of deeds prior to the transfer. A notice of claim filed in the registry of deeds expires 18 months from the date of recording unless extended prior to the expiration by recording of a notice of extension of the notice of claim. A recorded notice of claim may be extended for additional 18-month periods until the claim is paid. The commissioner or board may cause to be recorded in the county's registry of deeds a notice of claim for money owed pursuant to section 3101, 3102 or 3103 that is more than 90 days delinquent and may add to the amount owed the recording costs for filing the notice of claim. The recording of such notice does not constitute slander of title. Before recording such notice or service of process of a complaint for collection in a civil action, the commissioner or board shall give the owner against whom such action is to be taken written notice, in the same manner as written notices of meetings are provided for in section 3101, of the intended action if the debt is not paid within 20 days of the date of the written notice. This written notice to cure must be sent at least 30 days before the recording of the

notice of claim or the service of process of the complaint for collection in a civil action.

See title page for effective date.

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**CHAPTER 307  
S.P. 515 - L.D. 1485**

**An Act Regarding MaineCare  
Coverage for Telehealth  
Services**

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

**Sec. 1. 5 MRSA §12004-I, sub-§38-A** is enacted to read:

**38-A.**

<u>Human Services</u>	<u>Maine Telehealth and Telemonitoring Advisory Group</u>	<u>Not Authorized</u>	<u>22 MRSA §3173-I</u>
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**Sec. 2. 22 MRSA §3173-H** is enacted to read:

**§3173-H. Services delivered through telehealth**

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

A. "Asynchronous encounters" means the interaction between a patient and a health professional through a system with the ability to store digital information, including, but not limited to, still images, video, audio and text files, and other relevant data in one location and subsequently transmit such information for interpretation at a remote site by health professionals without requiring the simultaneous presence of the patient or the patient's provider.

B. "Store and forward transfers" means transmission of a patient's recorded health history through a secure electronic system to a provider.

C. "Synchronous encounters" means a real-time interaction conducted with interactive audio or video connection between a patient and the patient's provider or between providers.

D. "Telehealth," as it pertains to the delivery of health care services, means the use of interactive real-time visual and audio or other electronic media for the purpose of consultation and education concerning and diagnosis, treatment, care management and self-management of a patient's physical and mental health and includes real-time interaction between the patient and the telehealth

provider, synchronous encounters, asynchronous encounters, store and forward transfers and remote patient monitoring. "Telehealth" includes telephonic services when interactive telehealth services are unavailable or when a telephonic service is medically appropriate for the underlying covered service.

E. "Telemonitoring," as it pertains to the delivery of health care services, means the use of information technology to remotely monitor a patient's health status via electronic means through the use of clinical data while the patient remains in a residential setting, allowing the provider to track the patient's health data over time. Telemonitoring may or may not take place in real time.

2. Grants. The department may solicit, apply for and receive grants that support the development of the technology infrastructure necessary to support the delivery of health care services through telehealth and that support access to equipment, technical support and education related to telehealth for health care providers.

3. Annual report. Beginning January 1, 2018 and annually thereafter, the department shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the use of telehealth in the MaineCare program, including the number of telehealth and telemonitoring providers, the number of patients served by telehealth and telemonitoring services and a summary of grants applied for and received related to telehealth and telemonitoring.

4. Education. The department shall conduct educational outreach to providers and MaineCare members on telehealth and telemonitoring services.

5. Rules. The department shall adopt routine technical rules as defined by Title 5, chapter 375, subchapter 2-A to carry out the provisions of this section. Rules adopted by the department:

A. May not include any requirement that a patient have a certain number of emergency room visits or hospitalizations related to the patient's diagnosis in the criteria for a patient's eligibility for telemonitoring services;

B. Must include qualifying criteria for a patient's eligibility for telemonitoring services that include documentation in a patient's medical record that the patient is at risk of hospitalization or admission to an emergency room;

C. Must provide that group therapy for behavioral health or addiction services covered by the MaineCare program may be delivered through telehealth; and

D. Must include requirements for individual providers and the facility or organization in which the

provider works for providing telehealth and telemonitoring services.

**Sec. 3. 22 MRSA §3173-I** is enacted to read:

**§3173-I. Maine Telehealth and Telemonitoring Advisory Group**

The Maine Telehealth and Telemonitoring Advisory Group, as established by Title 5, section 12004-I, subsection 38-A and referred to in this section as "the advisory group," is created within the department.

**1. Membership.** The advisory group consists of the commissioner or the commissioner's designee and 9 other members appointed by the commissioner as follows:

A. A representative of an organization in this State that has a mission to increase access to telehealth services in rural areas;

B. A representative from a home health agency in this State;

C. A representative from a nonprofit advocacy organization that represents hospitals in this State;

D. A representative from each of 2 separate health care providers of integrated medical services in this State;

E. A representative from a behavioral health organization in this State;

F. A representative from an entity in this State with experience in the field of pharmacy; and

G. Two medical practitioners in this State who use telehealth or telemonitoring as part of their regular practice.

**2. Meetings.** The advisory group shall hold at least one regular meeting and no more than 4 meetings each year.

**3. Duties.** The advisory group shall:

A. Evaluate technical difficulties related to telehealth and telemonitoring services; and

B. Make recommendations to the department to improve telehealth and telemonitoring services statewide.

For the purposes of this section, "telehealth" and "telemonitoring" have the same meaning as in section 3173-H, subsection 1, paragraphs D and E.

See title page for effective date.

**CHAPTER 308**  
**S.P. 391 - L.D. 1170**

**An Act To Reduce Youth  
Access to Tobacco Products**

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

**Sec. 1. 22 MRSA §1551, sub-§1-D** is enacted to read:

**1-D. Electronic smoking device.** "Electronic smoking device" has the same meaning as in section 1541, subsection 1-A.

**Sec. 2. 22 MRSA §1551, sub-§2**, as enacted by PL 1995, c. 470, §9 and affected by §19, is repealed.

**Sec. 3. 22 MRSA §1551, sub-§3**, as enacted by PL 1995, c. 470, §9 and affected by §19, is repealed and the following enacted in its place:

**3. Tobacco product.** "Tobacco product" means any product that is made from or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, a hookah, pipe tobacco, chewing tobacco, snuff or snus. "Tobacco product" also means an electronic smoking device and any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes and liquids used in electronic smoking devices, whether or not they contain nicotine. "Tobacco product" does not include drugs, devices or combination products authorized for sale by the United States Food and Drug Administration, as those terms are defined in the Federal Food, Drug, and Cosmetic Act.

**Sec. 4. 22 MRSA §1552-A, sub-§2**, as amended by PL 1997, c. 305, §1, is further amended to read:

**2. Display of prohibition against sales to persons who have not attained 21 years of age.** All licensees shall post notice of the prohibition on tobacco sales to juveniles persons who have not attained 21 years of age, unless the person has attained 18 years of age as of July 1, 2018, pursuant to section 1555-B. Notices must be publicly and conspicuously displayed in the licensee's place of business in letters at least 3/8 inches high. Signs required by this section must be provided at cost by the department. Any person who violates this subsection commits a civil violation for which a forfeiture of not less than \$50 nor more than \$200 may be adjudged for any one offense.

**Sec. 5. 22 MRSA §1553-A, sub-§1**, as amended by PL 1997, c. 305, §2, is further amended to read:

**1. Vending requirements.** When the sale of cigarettes or any other tobacco product is made from a vending machine the following is required.

A. Only cigarettes or any other tobacco products may be dispensed by that machine.

B. A sign must be affixed conspicuously to the front of the machine. The sign must:

(1) Contain lettering that is at least 3/8 inches in height; and

(2) State the following: "WARNING. It is unlawful for to sell tobacco products in this State to any person under the age of 18 to purchase cigarettes in this State who has not attained 21 years of age, unless the person has attained 18 years of age as of July 1, 2018."

~~C. At all times during the hours the vending machine is accessible, it must be located within the unobstructed line of sight and under the direct supervision of an adult. That adult is responsible for preventing persons under 18 years of age from purchasing cigarettes or any other tobacco product from that vending machine.~~

Vending machines may be located only in areas in which ~~minors~~ persons who are 21 years of age or older are allowed ~~only when accompanied by an adult~~.

**Sec. 6. 22 MRSA §1555-B**, as amended by PL 2009, c. 398, §2 and affected by §6, is further amended to read:

**§1555-B. Sales of tobacco products**

**1. Retail sales.** Tobacco products may be sold at retail only in a direct, face-to-face exchange in which the purchaser may be clearly identified. For direct, face-to-face sales, employees who sell tobacco products must be at least 17 years of age. An employee who is at least 17 years of age but less than or older and under 21 years of age may sell tobacco products only in the presence of an employee who is at least 21 years of age or older and is in a supervisory capacity.

**2. Sales to persons who have not attained 21 years of age prohibited.** A person may not sell, furnish, give away or offer to sell, furnish or give away a tobacco product to any person under 18 who has not attained 21 years of age, unless the person has attained 18 years of age as of July 1, 2018. Tobacco products may not be sold at retail to any person under 27 who has not attained 30 years of age unless the seller first verifies that person's age by means of reliable photographic identification containing the person's date of birth. That a person appeared to be 30 years of age or older does not constitute a defense to a violation of this section.

**3. Sales through vending machines.** Tobacco products may be sold through vending machines according to section 1553-A.

**4. Wholesale sales.** Tobacco products may be distributed at wholesale without a face-to-face exchange only in the normal course of trade and under procedures approved by the Bureau of Revenue Services to ensure that tobacco products are not provided to any person under 18 who has not attained 21 years of age.

**5-A. Purchase of tobacco products by persons who have not attained 21 years of age prohibited.** Except as provided in subsection 5-B, a person under 18 who has not attained 21 years of age may not:

A. Purchase, possess or use ~~cigarettes, cigarette papers or any attempt to purchase a tobacco product;~~

B. ~~Violate paragraph A after having previously violated this subsection; or~~

C. ~~Violate paragraph A after having previously violated this subsection 2 or more times.~~

This subsection does not apply to a person who has attained 18 years of age as of July 1, 2018.

**5-B. Exception to possession by persons who have not attained 21 years of age.** A person under 18 who has not attained 21 years of age may transport or permit to be transported in a motor vehicle ~~cigarettes, cigarette papers or tobacco products~~ in the original sealed package in which they were placed by the manufacturer if the transportation is in the scope of that person's employment.

**5-C. Use of false identification by persons who have not attained 21 years of age prohibited.** A person under 18 who has not attained 21 years of age may not:

A. Offer false identification in an attempt to purchase a tobacco product or to purchase, possess or use ~~cigarettes, cigarette papers or any other a tobacco product;~~

B. Violate paragraph A after having previously violated this subsection; or

C. Violate paragraph A after having previously violated this subsection 2 or more times.

**6. Display of prohibition of sales to persons who have not attained 21 years of age.** A dealer or distributor of tobacco products shall post notice of this section prohibiting tobacco ~~and cigarette paper product~~ sales to persons under 18 who have not attained 21 years of age, unless the person has attained 18 years of age as of July 1, 2018. Notices must be publicly and conspicuously displayed in the dealer's or distributor's place of business in letters at least 3/8 inches in height. Signs required by this section may be provided at cost by the department.

**7. Enforcement.** Law enforcement officers shall enforce this section. A citizen may register a com-

plaint under this section with the law enforcement agency having jurisdiction. The law enforcement agency may notify any establishment or individual subject to this section of a citizen complaint regarding that establishment's or individual's alleged violation of this section and shall keep a record of that notification.

**8. Fines.** Violations of this section are subject to fines or other penalties according to this subsection.

~~A. A person who violates subsection 1, 2, 3 or 4 commits a civil violation for which a fine of not less than \$50 and not more than \$1,500, plus court costs, must be adjudged for any one offense. Except pursuant to Title 15, section 3314, the fine may not be suspended.~~

A-1. An employer of a person who violates subsection 1, 2, 3 or 4 commits a civil violation for which a fine of not less than \$50 ~~and not more than \$1,500~~ \$300 for the first offense, not less than \$600 for the 2nd offense and not less than \$1,000 for each offense thereafter, plus court costs, must be adjudged. The fine may not be suspended. Each day in which a violation occurs constitutes a separate violation.

B. A person who violates subsection 5-A ~~or 5-C~~ commits a civil violation ~~for which the following fines may be adjudged and may be subject to completing tobacco-related education classes, diversion programs or specified work for the benefit of the State, the municipality or other public entity or a charitable institution.~~

~~(1) For a first offense, a fine of not less than \$100 and not more than \$300 may be imposed. The judge, as an alternative to or in addition to the fine permitted by this subparagraph, may assign the violator to perform specified work for the benefit of the State, the municipality or other public entity or a charitable institution.~~

~~(2) For a 2nd offense, a fine of not less than \$200 and not more than \$500 may be imposed. The judge, as an alternative to or in addition to the fine permitted by this subparagraph, may assign the violator to perform specified work for the benefit of the State, the municipality or other public entity or a charitable institution.~~

~~(3) For all subsequent offenses, a fine of \$500 must be imposed and that fine may not be suspended. The judge, in addition to the fine permitted by this subparagraph, may assign the violator to perform specified work for the benefit of the State, the municipality or other public entity or a charitable institution.~~

B-1. A person who violates subsection 5-C commits a civil violation for which the following fines may be adjudged.

(1) For a first offense, a fine of not less than \$100 and not more than \$300 may be imposed. The judge, as an alternative to or in addition to the fine permitted by this subparagraph, may assign the violator to perform specified work for the benefit of the State, the municipality or other public entity or a charitable institution.

(2) For a 2nd offense, a fine of not less than \$200 and not more than \$500 may be imposed. The judge, as an alternative to or in addition to the fine permitted by this subparagraph, may assign the violator to perform specified work for the benefit of the State, the municipality or other public entity or a charitable institution.

(3) For all subsequent offenses, a fine of \$500 must be imposed and that fine may not be suspended. The judge, in addition to the fine permitted by this subparagraph, may assign the violator to perform specified work for the benefit of the State, the municipality or other public entity or a charitable institution.

C. A person who violates subsection 6 commits a civil violation for which a fine of not less than \$50 and not more than \$200 may be adjudged for any one offense.

**9. Distribution of fines.** Fines and forfeitures collected pursuant to subchapter 1 and this subchapter must be credited as follows: one half to the General Fund and 1/2 to be deposited in a nonlapsing account of the Maine Criminal Justice Academy for the purpose of providing funds for training and recertification of part-time and full-time law enforcement officers.

**10. Affirmative defense.** It is an affirmative defense to prosecution for a violation of subsection 1, 2 or 4 that the defendant sold, furnished, gave away or offered to sell, furnish or give away a tobacco product ~~to a person under 18 years of age~~ in violation of subsection 5-A in reasonable reliance upon a fraudulent proof of age presented by the purchaser.

**11. Manner of displaying and offering for sale.** Tobacco products may be displayed or offered for sale only in a manner that does not allow the purchaser direct access to the tobacco products. The requirements of this subsection do not apply to the display or offering for sale of tobacco products in multi-unit packages of 10 or more units, in tobacco specialty stores or in locations in which the presence of minors is generally prohibited. This requirement does not preempt a municipal ordinance that provides for more restrictive regulation of the sale of tobacco products.

**Sec. 7. Transfer.** Notwithstanding any other provision of law to the contrary, the State Controller, by June 30, 2019, shall transfer \$106,075 from the Maine Center for Disease Control and Prevention program, Fund for a Healthy Maine account in the Department of Health and Human Services to the unappropriated surplus of the General Fund.

See title page for effective date.

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## CHAPTER 309

### H.P. 1132 - L.D. 1641

#### **An Act To Amend the Marijuana Legalization Act Regarding Retail Marijuana Testing Facilities**

**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 people of the State of Maine in November 2016 passed into law the Marijuana Legalization Act, which establishes a system of licensing for marijuana cultivation, testing, processing and retail sale to enable persons 21 years of age or older to legally acquire, possess and consume marijuana and marijuana products under the laws of this State; and

**Whereas,** amendments to the Marijuana Legalization Act are necessary to provide clarity in the licensing and regulation of retail marijuana testing facilities and in the testing of marijuana and marijuana products to guard the public health and safety by ensuring that marijuana and marijuana products entering the retail market will be safe and fit for consumption by persons 21 years of age or older; 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 §2442, sub-§20,** as enacted by IB 2015, c. 5, §1, is repealed.

**Sec. 2. 7 MRSA §2442, sub-§§23-A, 31-A and 31-B** are enacted to read:

**23-A. Marijuana product.** "Marijuana product" means concentrated marijuana or a product composed of marijuana and other ingredients that is intended for use or consumption. "Marijuana product" includes, but is not limited to, an edible marijuana product, a marijuana ointment and a marijuana tincture.

**31-A. Qualifying patient.** "Qualifying patient" means a person who possesses a valid certification for the medical use of marijuana pursuant to Title 22, section 2423-B.

**31-B. Registered caregiver.** "Registered caregiver" means a primary caregiver who is registered by the Department of Health and Human Services pursuant to Title 22, section 2425, subsection 4.

**Sec. 3. 7 MRSA §2442, sub-§32,** as enacted by IB 2015, c. 5, §1, is amended to read:

**32. Registered dispensary.** "Registered dispensary" means a nonprofit dispensary that is a nonprofit corporation organized under Title 13-B and registered with by the Department of Health and Human Services pursuant to the Maine Medical Use of Marijuana Act and holds one or more dispensary registrations Title 22, section 2428, subsection 2, paragraph A.

**Sec. 4. 7 MRSA §2442, sub-§36-A** is enacted to read:

**36-A. Retail marijuana licensee.** "Retail marijuana licensee" or "licensee" means a person licensed pursuant to this chapter.

**Sec. 5. 7 MRSA §2442, sub-§37,** as enacted by IB 2015, c. 5, §1, is amended to read:

**37. Retail marijuana product.** "Retail marijuana product" means concentrated retail marijuana and retail marijuana products that are composed of retail marijuana and other ingredients and are intended for use or consumption, including, but not limited to, edible products, ointments and tinctures a marijuana product that is manufactured, processed, distributed or sold by a licensed retail marijuana establishment or a retail marijuana social club.

**Sec. 6. 7 MRSA §2445,** as amended by PL 2017, c. 278, §5 is further amended to read:

**§2445. Independent testing and certification program**

Beginning February 1, 2018, the state licensing authority shall establish, within a specific time frame, a an independent testing and certification program for retail marijuana and retail marijuana products independent testing and certification program. This Except as otherwise provided in this section, the program must require licensees to test retail marijuana and retail marijuana products to ensure at a minimum that products sold for human consumption do a retail marijuana licensee, prior to selling or furnishing retail marijuana or a retail marijuana product to a consumer or to another licensee, to submit the marijuana or marijuana product to a retail marijuana testing facility for testing pursuant to this section to ensure that the marijuana or marijuana product does not contain contaminants exceed the maximum level of allowable contamination for any contaminant that are is injurious to

health and for which testing is required and to ensure correct labeling. The Commissioner of Agriculture, Conservation and Forestry shall adopt rules regarding retail marijuana testing facilities as authorized by sections 1-C and 2444, subsection 2. Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A identifying the types of contaminants that are injurious to health for which marijuana and marijuana products must be tested under this section and the maximum level of allowable contamination for each contaminant.

**1. Mandatory testing.** Testing A retail marijuana licensee may not sell or furnish retail marijuana or a retail marijuana product to a consumer or to another licensee under this chapter unless the marijuana or marijuana product has been tested pursuant to this section and rules adopted pursuant to this section and that mandatory testing has demonstrated that the marijuana or marijuana product does not exceed the maximum level of allowable contamination for any contaminant that is injurious to health and for which testing is required. Mandatory testing of retail marijuana and retail marijuana products under this section must include, but is not limited to, analysis testing for residual solvents, poisons and toxins; harmful chemicals; dangerous molds and mildew; harmful microbes, such as including, but not limited to, Escherichia coli and salmonella; and pesticides, fungicides and insecticides; and THC potency, homogeneity and cannabinoid profiles for correct labeling. The Commissioner of Agriculture, Conservation and Forestry shall establish by rule processes, protocols and standards for mandatory and other testing of marijuana and marijuana products that conform with the best practices generally used within the marijuana testing industry.

**2. Notification requirements.** In the event that test If the results of a mandatory test required under subsection 1 indicate the presence of quantities of any substance determined to be that the tested marijuana or marijuana product exceeds the maximum level of allowable contamination for any contaminant that is injurious to health in any product, these products must be immediately quarantined and immediate notification to the persons responsible for enforcing the marijuana laws must be made. These products must be documented and properly destroyed, and for which testing is required, the testing facility shall immediately quarantine, document and properly destroy the marijuana or marijuana product, except when the owner of the tested marijuana or marijuana product has successfully undertaken remediation and retesting. If the results of a mandatory test indicate that the tested marijuana or marijuana product exceeds the maximum level of allowable contamination for any contaminant that is injurious to health and for which testing is required, the testing facility shall within 30 days of completing the test notify the Department of

Agriculture, Conservation and Forestry of the test results. A testing facility is not required to notify the Department of Agriculture, Conservation and Forestry of the results of any test:

A. Conducted on marijuana or a marijuana product at the direction of a retail marijuana licensee pursuant to subsection 1 that demonstrates that the marijuana or marijuana product does not exceed the maximum level of allowable contamination for any contaminant that is injurious to health and for which testing is required;

B. Conducted on marijuana or a marijuana product at the direction of a retail marijuana licensee for research and development purposes only, as long as the licensee notifies the testing facility prior to the performance of the test that the testing is for research and development purposes only;

C. Conducted on a substance that is not marijuana or a marijuana product at the direction of any person; or

D. Conducted on marijuana or a marijuana product at the direction of any person who is not a retail marijuana licensee.

**3. THC potency.** Testing must verify THC potency representations for correct labeling.

**4. Sampling.** If a test to be performed by a retail marijuana testing facility is a mandatory test required under subsection 1, an employee or designee of the testing facility must perform the sampling required for the test. If a test to be performed by a retail marijuana testing facility is not a mandatory test, the owner of the marijuana or marijuana product may perform the sampling required for the test.

**5. Additional testing not required.** A retail marijuana licensee may sell or furnish to a consumer or to another licensee retail marijuana or a retail marijuana product that the retail marijuana licensee has not submitted for testing pursuant to this section if:

A. The marijuana or marijuana product has previously been tested pursuant to this section by another retail marijuana licensee and that testing demonstrated that the marijuana or marijuana product does not exceed the maximum level of allowable contamination for any contaminant that is injurious to health and for which testing is required;

B. The mandatory testing process and the test results for the marijuana or marijuana product under paragraph A are documented in accordance with the requirements of this chapter and all applicable rules adopted pursuant to this chapter; and

C. Tracking from seed or immature plant to retail sale has been maintained for the marijuana or marijuana product and transfers of the marijuana

or marijuana product to a consumer or another licensee can be easily identified.

The establishment of an independent testing and certification program in accordance with this section does not affect the adoption of rules ~~in~~ under section 2444, subsection 2 or affect the implementation of cultivation, production and sale of retail marijuana and retail marijuana products in accordance with the requirements of this chapter.

**Sec. 7. 7 MRSA §2448, sub-§6,** as amended by PL 2017, c. 278, §8, is further amended to read:

**6. Retail marijuana testing facility license.** A retail marijuana testing facility license may be issued to a person who performs testing and research on retail marijuana. The facility may develop and test retail marijuana products. The state licensing authority may issue a full or a provisional retail marijuana testing facility license in accordance with this chapter to a person to operate a retail marijuana testing facility for the purposes of developing, researching and testing marijuana, marijuana products and other substances.

The Department of Agriculture, Conservation and Forestry shall adopt rules pursuant to its authority in section 2445 related to acceptable testing and research practices, including but not limited to testing, standards, quality control analysis, equipment certification and calibration, chemical identification and other practices used in bona fide research methods. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A.

A. A person ~~that has~~ with an interest in a retail marijuana testing facility license from the state licensing authority for testing purposes licensed under this chapter may not be a registered caregiver or have ~~any an~~ interest in a registered dispensary, a registered caregiver, or in a licensed retail marijuana store, a licensed retail marijuana social club, a licensed retail marijuana cultivation facility or a licensed retail marijuana products manufacturing facility licensed under this chapter. A person ~~that has~~ who is a registered caregiver or who has an interest in a registered dispensary, a registered caregiver, or in a licensed retail marijuana store, a licensed retail marijuana social club, a licensed retail marijuana cultivation facility or a licensed retail marijuana products manufacturing facility licensed under this chapter may not have an interest in a facility that has a retail marijuana testing facility license licensed under this chapter. For purposes of this paragraph, "interest" includes means an ownership interest or partial ownership interest or any other type of financial interest, such as including, but not limited to, being an investor or serving in a management position.

B. Retail marijuana and retail marijuana products may be transported between ~~the licensed~~ a retail marijuana testing facility and ~~a~~ retail marijuana cultivation ~~facilities~~ facility, a retail marijuana products manufacturing ~~facilities~~ facility, a retail marijuana ~~stores~~ store and a retail marijuana social ~~clubs~~ club.

C. A licensed retail marijuana testing facility may not commence or continue operation unless the facility:

(1) Is certified for operation by the Department of Health and Human Services, Maine Center for Disease Control and Prevention in accordance with rules adopted by the Commissioner of Agriculture, Conservation and Forestry in consultation with the Department of Health and Human Services, Maine Center for Disease Control and Prevention;

(2) Except as otherwise provided in this subparagraph, is accredited pursuant to standard ISO/IEC 17025 of the International Organization for Standardization by a 3rd-party accrediting body or is certified, registered or accredited by an organization approved by the Commissioner of Agriculture, Conservation and Forestry. The Commissioner of Agriculture, Conservation and Forestry shall adopt rules regarding the scope of certification, registration or accreditation required for licensure as a retail marijuana testing facility.

The state licensing authority may issue a full retail marijuana testing facility license to a person who meets all applicable requirements of this chapter and rules adopted under this chapter and who has obtained accreditation pursuant to standard ISO/IEC 17025 of the International Organization for Standardization from a 3rd-party accrediting body or who is certified, registered or accredited by an approved organization.

The state licensing authority may issue a provisional retail marijuana testing facility license to a person who otherwise meets all applicable requirements of this chapter and rules adopted under this chapter and who has applied for but not yet obtained accreditation from a 3rd-party accrediting body or who has applied for but not yet obtained certification, registration or accreditation from an approved organization. The state licensing authority may not renew a provisional retail marijuana testing facility license more than once;

(3) Is determined by the Department of Agriculture, Conservation and Forestry to meet all operational and technical requirements for retail marijuana testing facilities under this

chapter and applicable rules adopted under this chapter; and

(4) Is approved or licensed by the municipality in which the facility is physically located and notice of approval or licensure has been provided by the municipality to the state licensing authority.

D. A retail marijuana testing facility shall follow all testing protocols, standards and criteria adopted by rule by the Commissioner of Agriculture, Conservation and Forestry for the testing of different forms of marijuana and marijuana products; determining batch size; sampling; testing validity; and approval and disapproval of tested marijuana and marijuana products.

E. If a retail marijuana testing facility determines that a sample of marijuana or a marijuana product has failed testing, the facility shall offer to the owner of the sample that failed testing an opportunity for remediation and retesting in accordance with rules adopted by the Commissioner of Agriculture, Conservation and Forestry.

F. A retail marijuana testing facility shall maintain records of all business transactions and testing results in accordance with the record-keeping requirements of subsection 8-A and in accordance with applicable standards for licensing and accreditation under paragraph C and testing protocols, standards and criteria adopted by the Commissioner of Agriculture, Conservation and Forestry under paragraph D.

G. A retail marijuana testing facility shall dispose of used, unused and waste marijuana and marijuana products in accordance with rules adopted by the Commissioner of Agriculture, Conservation and Forestry.

H. A retail marijuana testing facility shall notify the Department of Agriculture, Conservation and Forestry of test results in accordance with section 2445, subsection 2.

I. A retail marijuana testing facility may develop, research and test marijuana and marijuana products for that facility; for another retail marijuana establishment or a retail marijuana social club; for a person who intends to use the marijuana or marijuana product for personal use as allowed under this chapter; or for a qualifying patient, a registered caregiver or a registered dispensary. A retail marijuana testing facility may develop, research and test other substances that are not marijuana or marijuana products for that facility or for any other person.

The Commissioner of Agriculture, Conservation and Forestry shall adopt rules regarding the testing of marijuana and marijuana products by retail marijuana

testing facilities pursuant to this chapter, including, but not limited to, rules establishing acceptable testing and research practices for retail marijuana testing facilities, including, but not limited to, provisions relating to testing practices, methods and standards; remediation and retesting procedures; quality control analysis; equipment certification and calibration; chemical identification; testing facility record-keeping, documentation and business practices; disposal of used, unused and waste marijuana and marijuana products; and reporting of test results; rules establishing an independent testing and certification program pursuant to section 2445; and rules governing sampling and testing of retail marijuana and retail marijuana products pursuant to section 2448, subsection 8-A. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 8. 7 MRSA §2448, sub-§8,** as amended by PL 2017, c. 278, §9, is repealed.

**Sec. 9. 7 MRSA §2448, sub-§8-A** is enacted to read:

**8-A. Inspections; record-keeping requirements; audit requirements; testing and sampling for product quality control.** A retail marijuana licensee shall submit to inspections and maintain business records in accordance with this subsection.

A. A licensee shall maintain a complete set of all records of the licensee's business transactions, which must be open to inspection and examination by the state licensing authority or the Department of Agriculture, Conservation and Forestry upon demand and without notice during all business hours. Records must be maintained by a licensee for a period comprising the current tax year and the 2 immediately preceding tax years.

B. The state licensing authority or the Department of Agriculture, Conservation and Forestry may require a licensee to furnish any additional information necessary for the proper administration of this chapter and the state licensing authority may require a licensee to submit to an audit of the licensee's business records. If the state licensing authority requires a licensee to submit to an audit, the licensee shall provide the auditor selected by the state licensing authority with access to all business records of the licensee and the cost of the audit must be paid by the licensee.

C. A licensee shall submit to an inspection of the licensed premises, including any places of storage, upon demand and without notice during all business hours and other times of apparent activity by the state licensing authority, the Department of Agriculture, Conservation and Forestry, a law enforcement agency or an official authorized by the municipality in which the licensed premises are located. If any part of the licensed prem-

ises consists of a locked area, a licensee shall, upon demand of the state licensing authority, the Department of Agriculture, Conservation and Forestry, a law enforcement agency or the official authorized by the municipality, open the locked area for inspection.

D. A licensee shall submit to the sampling and testing of retail marijuana or retail marijuana products upon demand and without notice during all business hours by the Department of Agriculture, Conservation and Forestry for the purposes of product quality control. Sampling and testing by the Department of Agriculture, Conservation and Forestry pursuant to this paragraph must be conducted in accordance with the requirements of section 2445 and rules adopted pursuant to section 2448, subsection 6.

**Sec. 10. Transfer; Marijuana Regulation and Licensing Fund program.** Notwithstanding any other provision of law to the contrary, the State Controller, within 5 days of the effective date of this Act, shall transfer \$91,032 from the Retail Marijuana Regulatory Coordination Fund in the Department of Administrative and Financial Services to the Marijuana Regulation and Licensing Fund program in the Department of Agriculture, Conservation and Forestry.

**Sec. 11. Transfer; Maine Center for Disease Control and Prevention program.** Notwithstanding any other provision of law to the contrary, the State Controller, within 5 days of the effective date of this Act, shall transfer \$84,722 from the Retail Marijuana Regulatory Coordination Fund in the Department of Administrative and Financial Services to the Maine Center for Disease Control and Prevention program in the Department of Health and Human Services.

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

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

**Marijuana Regulation and Licensing Fund N219**

Initiative: Provides allocations for one Consumer Protection Inspector position, one pool vehicle and position technology costs.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
POSITIONS - LEGISLATIVE COUNCIL	1,000	1,000
Personal Services	\$76,032	\$79,801
All Other	\$15,000	\$12,500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$91,032	\$92,301

AGRICULTURE,  
CONSERVATION AND  
FORESTRY,  
DEPARTMENT OF  
DEPARTMENT TOTALS

	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS	\$91,032	\$92,301
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DEPARTMENT TOTAL - ALL FUNDS	\$91,032	\$92,301

HEALTH AND HUMAN SERVICES,  
DEPARTMENT OF (FORMERLY DHS)

Maine Center for Disease Control and Prevention  
0143

Initiative: Provides allocations for one Environmental Specialist III position to certify licensed retail marijuana testing facilities.

	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS		
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$74,552	\$77,185
All Other	\$10,170	\$10,170
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$84,722	\$87,355

HEALTH AND HUMAN SERVICES,  
DEPARTMENT OF (FORMERLY DHS)  
DEPARTMENT TOTALS

	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS	\$84,722	\$87,355
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DEPARTMENT TOTAL - ALL FUNDS	\$84,722	\$87,355

	2017-18	2018-19
OTHER SPECIAL REVENUE FUNDS	\$175,754	\$179,656
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SECTION TOTAL - ALL FUNDS	\$175,754	\$179,656

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

Effective August 2, 2017.

**CHAPTER 310**

**H.P. 462 - L.D. 648**

**An Act To Expand the Types of Nonprofit Organizations to Which Surplus Property May Be Sold by the State**

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

**Sec. 1. 5 MRSA §1828, sub-§1, ¶B,** as amended by PL 2011, c. 9, §1, is further amended to read:

B. "Qualifying nonprofit organization" means:

(1) A public or private nonprofit entity that owns or operates a project or facility for the homeless; or

~~(2) A nonprofit organization that has been determined to be exempt from taxation under the United States Internal Revenue Code, Section 501(c) and that provides services to persons with physical or mental handicaps as defined in section 4553, subsection 7-A;~~

~~(3) A nonprofit organization that has been determined to be exempt from taxation under the United States Internal Revenue Code, Section 501(c) and that contracts with the Department of Health and Human Services to provide vehicles to low-income families to assist them in participating in work, education or training; or~~

~~(4) A nonprofit organization that has been determined to be exempt from taxation under the United States Internal Revenue Code, Section 501(c) and that houses animals and operates for the purpose of providing stray, abandoned, abused or owner surrendered animals with sanctuary or finding the animals temporary or permanent adoptive homes.~~

(5) A nonprofit organization that has been determined to be exempt from taxation under the United States Internal Revenue Code of 1986, Section 501(c).

**Sec. 2. 5 MRSA §1828, sub-§2,** as amended by PL 2011, c. 9, §2, is further amended to read:

**2. Surplus property.** Pursuant to this chapter and rules adopted under section 1813, the Department of Administrative and Financial Services through the

Bureau of General Services shall allow private sales of surplus property to:

~~A. Nonprofit organizations that contract with the Department of Health and Human Services to provide affordable vehicles to low income families to assist them in participating in work, education or training;~~

B. Homeless shelter sponsors;

C. Educational institutions; and

~~D. Nonprofit organizations that house animals and operate for the purpose of providing stray, abandoned, abused or owner surrendered animals with sanctuary or finding the animals temporary or permanent adoptive homes.~~

E. Nonprofit organizations that have been determined to be exempt from taxation under the United States Internal Revenue Code of 1986, Section 501(c).

See title page for effective date.

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## CHAPTER 311

### H.P. 138 - L.D. 182

#### An Act To Protect Firefighters by Establishing a Prohibition on the Sale and Distribution of New Upholstered Furniture Containing Certain Flame-retardant Chemicals

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

Sec. 1. 38 MRSA §1609-A is enacted to read:

#### §1609-A. Residential upholstered furniture

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

A. "Flame-retardant chemical" means a chemical or chemical compound for which a functional use is to resist or inhibit the spread of fire. "Flame-retardant chemical" includes, but is not limited to, halogenated, phosphorus-based, nitrogen-based and nanoscale flame retardants and any chemical or chemical compound for which "flame retardant" appears on the substance safety data sheet required under 29 Code of Federal Regulations, Section 1910.1200(g) (2015).

B. "Upholstered furniture" means residential furniture intended for indoor use in a home or other dwelling intended for residential occupancy that consists in whole or in part of resilient cushioning

materials enclosed within a covering consisting of fabric or related materials.

2. Sales prohibition. Except as otherwise provided in section 1609, subsection 4, beginning January 1, 2019, a person may not sell or offer to sell or distribute for promotional purposes upholstered furniture containing in its fabric or other covering or in its cushioning materials more than 0.1% of a flame-retardant chemical or more than 0.1% of a mixture that includes flame-retardant chemicals.

3. Exemptions. The restrictions in subsection 2 do not apply to the following upholstered furniture products containing flame-retardant chemicals:

A. Used upholstered furniture;

B. Upholstered furniture purchased for public use in public facilities, including, but not limited to, schools, jails and hospitals, that is required by the State of California to meet the flammability standard in California Department of Consumer Affairs, Bureau of Home Furnishings and Thermal Insulation Technical Bulletin 133, "Flammability Test Procedure for Seating Furniture for Use in Public Occupancies," dated January 1991; and

C. New upholstered furniture otherwise subject to the prohibition in subsection 2 that is sold, offered for sale or distributed for promotional purposes in the State by a retailer or wholesaler on or after January 1, 2019 and that was imported into the State or otherwise purchased or acquired by the retailer or wholesaler for sale or distribution in the State prior to January 1, 2019.

4. Rulemaking. The department shall adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

**Sec. 2. Transfer funds.** The State Controller shall transfer \$101,717 by June 30, 2018 and \$65,909 by June 30, 2019 from the Medical Use of Marijuana Fund, Other Special Revenue Funds account in the Department of Health and Human Services to the unappropriated surplus of the General Fund.

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

#### ENVIRONMENTAL PROTECTION, DEPARTMENT OF

##### Administration - Environmental Protection 0251

Initiative: Provides appropriations in fiscal year 2017-18 for one full-time Environmental Specialist III position to monitor furniture sales and develop and oversee laboratory testing for compliance with a prohibition on flame-retardant chemicals in new upholstered residential furniture and appropriations for technology and

office costs related to the position. The position is reduced to part-time in fiscal year 2018-19.

GENERAL FUND	2017-18	2018-19
POSITIONS - FTE COUNT	1.000	0.500
Personal Services	\$76,217	\$40,009
All Other	\$25,500	\$25,900
<b>GENERAL FUND TOTAL</b>	<b>\$101,717</b>	<b>\$65,909</b>

See title page for effective date.

**CHAPTER 312**

**S.P. 362 - L.D. 1108**

**An Act To Restore Public Health Nursing Services**

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

**PART A**

**Sec. A-1. 22 MRSA §1963, sub-§3,** as amended by PL 1995, c. 502, Pt. D, §4, is further amended to read:

**3. Provide nursing services.** ~~To provide, at the discretion of the director,~~ nursing services in communities that lack these services or in which these services are inadequate according to established standards; ~~and. The Public Health Nursing Program shall provide to communities within the State nursing services, including, but not limited to:~~

- A. Treatment of and support for drug-affected babies and their parents;
- B. Assistance with public health emergencies, including, but not limited to, outbreaks of infectious disease, natural disasters and bioterrorist attacks;
- C. Early identification of children at risk of potential adverse childhood experiences to prevent future mental health and physical health issues;
- D. Support for chronic disease management to prevent costly hospitalizations and assistance to persons with chronic diseases who may not have health coverage;
- E. Early identification of persons at risk of domestic violence and referrals to community-based services as appropriate to those persons;
- F. Support for the public health infrastructure under chapter 152, including, but not limited to, the district coordinating councils for public health as defined in section 411, subsection 3 and local public health officers and the creation and imple-

mentation of district public health improvement plans; and

G. Assistance with the public health assessment and planning responsibilities of the Maine Center for Disease Control and Prevention and hospitals located within the State;

H. Support and education for prenatal clients, parents and newborn infants who are at risk for health challenges;

I. Support for activities of programs within the Maine Center for Disease Control and Prevention, including, but not limited to, the Universal Childhood Immunization Program under section 1066 and environmental health and tuberculosis programs;

J. Support for activities of programs that serve refugee and immigrant health services programs; and

K. Support for the assessment of unmet health needs in the elderly population, especially in rural areas, and assisting elderly persons in finding and receiving medical or community-based services; and

**Sec. A-2. 22 MRSA §§1964 and 1965** are enacted to read:

**§1964. Required staffing**

Notwithstanding any other provision of law, and without further approval or justification, the department shall promptly fill all public health nurse positions within the Public Health Nursing Program for which funding is provided.

The department shall widely post public notices for public health nurse vacancies under this section on publicly accessible state websites and in other appropriate locations. Public notice must be posted within 30 days of the effective date of this section for vacancies then existing and within 30 days of each subsequent vacancy that occurs. The department shall recruit and hire qualified individuals for these vacant positions.

Notwithstanding any other provision of law, the department may not transfer or otherwise repurpose any funds appropriated or allocated for the salaries, benefits and other costs of public health nurses and the services they provide.

**§1965. Required office space; support for staff**

The department shall provide office space and support services on a regional basis for the staff of the Public Health Nursing Program to the full extent of required staffing provided in section 1964 in order to derive the maximum benefit from the professional skills of public health nursing staff and to minimize unnecessary driving time.

**PART B**

**Sec. B-1. Staffing levels.** The staffing for the Public Health Nursing Program, established in the Maine Revised Statutes, Title 22, chapter 408 and required by Title 22, section 1964, must be achieved as soon as possible after enactment of this Act, but no later than March 1, 2018.

**Sec. B-2. Report.** The Director of the Public Health Nursing Program under the Department of Health and Human Services shall report in writing to the Joint Standing Committee on Health and Human Services by December 15, 2017 and February 15, 2018 on the progress of the department in achieving full staffing of the Public Health Nursing Program as required by the Maine Revised Statutes, Title 22, section 1964.

See title page for effective date.

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PRIVATE AND SPECIAL LAWS OF THE STATE OF MAINE  
AS PASSED AT  
THE FIRST REGULAR SESSION OF THE  
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE  
2017

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**CHAPTER 1**

**H.P. 72 - L.D. 104**

**An Act To Change the Time  
and Location of the Annual  
Meeting of the Board of  
Trustees of the Kittery Water  
District**

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

**Sec. 1. P&SL 1907, c. 424, §5, 3rd and 4th sentences**, as amended by P&SL 1965, c. 9, are further amended to read:

~~The annual election of officers shall be in the month of February. As soon as convenient after the board of trustees has been chosen, the said board of trustees shall hold a meeting at such time as determined by the board of trustees at the office of the selectmen water district in the town of Kittery, and organize by the election of a chairman and clerk, adopt a corporate seal, and when necessary, may choose a treasurer and all other needful officers and agents for the proper management of the affairs of said the water district.~~

See title page for effective date.

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**CHAPTER 2**

**H.P. 25 - L.D. 24**

**An Act To Change the Name of  
Township 17, Range 4, WELS,  
in the Unorganized Territory  
to Sinclair**

**Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

**Whereas**, this legislation proposes a referendum to ratify changing the name of the unorganized territory referred to currently as Township 17, Range 4, WELS, and located in Aroostook County to Sinclair, and requires the referendum to be held no later than 6 months after adjournment of the First Regular Session of the 128th 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. Sinclair.** Wherever the designation Township 17, Range 4, WELS, appears or reference is made to that unorganized territory, that designation or reference means Sinclair.

**Sec. 2. Referendum for ratification.** This Act must be submitted to the legal voters residing in the unorganized territory of Township 17, Range 4, WELS, in Aroostook County. The date of the submission must be determined by the Aroostook County Board of Commissioners but may not be later than 6 months after adjournment of the First Regular Session of the 128th Legislature. The Aroostook County commissioners are authorized to expend such funds as necessary to implement the referendum.

The county commissioners shall cause the preparation of the required ballots, on which they shall state the subject matter of this Act in the following question:

"Do you favor changing the name of Township 17, Range 4, WELS, to Sinclair?"

The voters shall indicate by a cross or a check mark placed against the word "Yes" or "No" their opinion of the question.

The result of the election must be declared by the Aroostook County commissioners and due certificate filed with the Secretary of State.

**Sec. 3. Emergency clause; effective date.** In view of the emergency cited in the preamble, this legislation takes effect when approved only for the purpose of submitting it to the legal voters residing in the unorganized territory of Township 17, Range 4, WELS, in Aroostook County no later than 6 months after adjournment of the First Regular Session of the

128th Legislature. The name change in section 1 of this Act takes effect immediately upon its acceptance by a majority of the legal voters voting at the election held pursuant to section 2.

Effective April 9, 2017, unless otherwise indicated.

**CHAPTER 3**  
**S.P. 157 - L.D. 460**  
**An Act To Make Allocations**  
**from Maine Turnpike**  
**Authority Funds for the Maine**  
**Turnpike Authority for the**  
**Calendar Year Ending**  
**December 31, 2018**

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

**Sec. 1. Allocation.** Gross revenues of the Maine Turnpike Authority for the calendar year ending December 31, 2018 must be segregated, apportioned and disbursed as designated in the following schedule.

<b>MAINE TURNPIKE AUTHORITY</b>	<b>2018</b>
<b>Administration</b>	
Personal Services	\$1,194,182
All Other	1,598,090
<b>TOTAL</b>	<b>\$2,792,272</b>
<b>Accounts and Controls</b>	
Personal Services	\$2,947,818
All Other	1,296,638
<b>TOTAL</b>	<b>\$4,244,456</b>
<b>Highway Maintenance</b>	
Personal Services	\$4,352,561
All Other	3,162,109
<b>TOTAL</b>	<b>\$7,514,670</b>
<b>Equipment Maintenance</b>	
Personal Services	\$1,181,552

All Other	2,343,716
<b>TOTAL</b>	<b>\$3,525,268</b>

**Fare Collection**

Personal Services	\$9,876,542
All Other	4,269,412
<b>TOTAL</b>	<b>\$14,145,954</b>

**Public Safety and Special Services**

Personal Services	\$509,584
All Other	6,990,847
<b>TOTAL</b>	<b>\$7,500,431</b>

**Building Maintenance**

Personal Services	\$572,153
All Other	608,862
<b>TOTAL</b>	<b>\$1,181,015</b>

Subtotal of Line Items Budgeted \$40,904,066

General Contingency - 10% of line items budgeted for 2018 (10% allowed) \$4,090,405

<b>MAINE TURNPIKE AUTHORITY</b>	
<b>TOTAL REVENUE FUNDS</b>	<b>\$44,994,471</b>

**Sec. 2. Transfer of allocations.** Any balance of the allocation for "General Contingency" made by the Legislature for the Maine Turnpike Authority may be transferred at any time prior to the closing of the books to any other allocation or subdivision of any other allocation made by the Legislature for the use of the Maine Turnpike Authority for the same calendar year. Any balance of any other allocation or subdivision of any other allocation made by the Legislature for the Maine Turnpike Authority that at any time is not required for the purpose named in the allocation or subdivision may be transferred at any time prior to the closing of the books to any other allocation or subdivision of any other allocation made by the Legislature for the use of the Maine Turnpike Authority for the same calendar year subject to review by the joint standing committee of the Legislature having jurisdic-

tion over transportation matters. Financial statements describing the transfer, other than a transfer from "General Contingency," must be submitted by the Maine Turnpike Authority to the Office of Fiscal and Program Review 30 days before the transfer is to be implemented. In the case of extraordinary emergency transfers, the 30-day prior submission requirement may be waived by vote of the committee. These financial statements must include information specifying the accounts that are affected, amounts to be transferred, a description of the transfer and a detailed explanation as to why the transfer is needed.

**Sec. 3. Encumbered balance at year-end.**

At the end of each calendar year, encumbered balances may be carried to the next calendar year.

**Sec. 4. Supplemental information.**

As required by the Maine Revised Statutes, Title 23, section 1961, subsection 6, the following statement of the revenues in 2018 that are necessary for capital expenditures and reserves and to meet the requirements of any resolution authorizing bonds of the Maine Turnpike Authority during 2018, including debt service and the maintenance of reserves for debt service and reserve maintenance, is submitted.

<b>Turnpike Revenue Bond Resolution Adopted April 18, 1991; Issuance of Bonds Authorized Pursuant to the Maine Revised Statutes, Title 23, section 1968, subsection 1 and former subsection 2</b>	<b>2018</b>
Debt Service Fund	\$33,520,903
Reserve Maintenance Fund	37,000,000
General Reserve Fund, to be applied as follows:	
Capital Improvements	23,068,314
Debt Service Fund under the General Special Obligation Bond Resolution Adopted May 15, 1996; Issuance of Bonds Authorized Pursuant to the Maine Revised Statutes, Title 23, section 1968, subsection 2-A	3,702,300
<b>TOTAL</b>	<b>\$97,291,517</b>

See title page for effective date.

**CHAPTER 4**

**H.P. 191 - L.D. 258**

**An Act To Amend the Charter of the Southwest Harbor Water and Sewer District**

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

**Sec. 1. P&SL 2015, c. 11, §14, first ¶** is amended to read:

All the affairs of the district must be managed by a board of ~~3~~ 5 trustees. One of the trustees must be the town manager for the Town of Southwest Harbor. If the town manager position is vacated and in the absence of an acting town manager, the board of selectmen shall appoint a resident of the Town of Southwest Harbor to serve as a trustee until the town manager position is filled. The remaining ~~2~~ 4 trustees must be residents of the Town of Southwest Harbor who are appointed by the board of selectmen. No member of the board of selectmen may, during the term for which the member is elected, be appointed as a trustee of the district. The appointed trustees shall hold office for terms of 3 years and until their respective successors are appointed and qualified. Upon appointment of the first board, the board of selectmen shall determine the terms of the ~~2~~ appointed trustees.

**Sec. 2. First terms.** Notwithstanding Private and Special Law 2015, chapter 11, section 14, the board of selectmen of the Town of Southwest Harbor shall establish the first terms of each of the 2 additional trustees appointed to the board of trustees of the Southwest Harbor Water and Sewer District pursuant to this Act as follows: one trustee for a term of one year and one for a term of 2 years.

See title page for effective date.

**CHAPTER 5**

**S.P. 343 - L.D. 1037**

**An Act To Provide for the 2017 and 2018 Allocations of the State Ceiling on Private Activity Bonds**

**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 10, section 363 and Private and Special Law 2015, chapter 13 make a partial allocation of the state ceiling on private activity bonds to some issuers for calendar year 2017 but leave a portion of the state ceiling unallo-

cated and do not provide sufficient allocations for certain types of private activity bonds that may require an allocation prior to the effective date of this Act if not enacted on an emergency basis; and

**Whereas**, if these bond issues must be delayed due to the lack of available state ceiling, the rates and terms under which these bonds may be issued may be adversely affected, resulting in increased costs to beneficiaries or even unavailability of financing for certain projects; 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. Allocation to the Treasurer of State.** The \$5,000,000 of the state ceiling on private activity bonds for calendar year 2017 previously allocated to the Treasurer of State remains allocated to the Treasurer of State to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 5 for calendar year 2017. Five million dollars of the state ceiling for calendar year 2018 is allocated to the Treasurer of State to be used or reallocated in accordance with Title 10, section 363, subsection 5.

**Sec. 2. Allocation to the Finance Authority of Maine.** The \$40,000,000 of the state ceiling on private activity bonds for calendar year 2017 previously allocated to the Finance Authority of Maine remains allocated to the Finance Authority of Maine to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 6 for calendar year 2017. An additional \$45,000,000 of the state ceiling on private activity bonds for calendar year 2017, previously unallocated, is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6. Forty million dollars of the state ceiling for calendar year 2018 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 6.

**Sec. 3. Allocation to the Maine Municipal Bond Bank.** The \$10,000,000 of the state ceiling on private activity bonds for calendar year 2017 previously allocated to the Maine Municipal Bond Bank remains allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 7 for calendar year 2017. Ten million dollars of the state ceiling for calendar year 2018 is allocated to the Maine Municipal Bond Bank to be used or reallocated in accordance with Title 10, section 363, subsection 7.

**Sec. 4. Allocation to the Finance Authority of Maine as successor to the Maine Educational Loan Authority.** The \$15,000,000 of the state ceiling on private activity bonds for calendar year 2017 previously allocated to the Finance Authority of Maine as successor to the Maine Educational Loan Authority remains allocated to the Finance Authority of Maine to be used or reallocated in accordance with Public Law 2015, chapter 170 and with the Maine Revised Statutes, Title 10, section 363, subsection 8 for calendar year 2017. Fifteen million dollars of the state ceiling for calendar year 2018 is allocated to the Finance Authority of Maine to be used or reallocated in accordance with Title 10, section 363, subsection 8.

**Sec. 5. Allocation to the Maine State Housing Authority.** The \$50,000,000 of the state ceiling on private activity bonds for calendar year 2017 previously allocated to the Maine State Housing Authority remains allocated to the Maine State Housing Authority to be used or reallocated in accordance with the Maine Revised Statutes, Title 10, section 363, subsection 4 for calendar year 2017. Fifty million dollars of the state ceiling for calendar year 2018 is allocated to the Maine State Housing Authority to be used or reallocated in accordance with Title 10, section 363, subsection 4.

**Sec. 6. Unallocated state ceiling.** One hundred forty million three hundred fifteen thousand dollars of the state ceiling on private activity bonds for calendar year 2017 is unallocated and must be reserved for future allocation in accordance with applicable laws. One hundred eighty-five million five hundred fifteen thousand dollars of the state ceiling for calendar year 2018 is unallocated and must be reserved for future allocation in accordance with applicable laws.

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

Effective May 12, 2017.

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## CHAPTER 6

### S.P. 331 - L.D. 992

#### An Act To Authorize Moving the Town Line between Baileyville and Baring Plantation

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

**Sec. 1. Incorporation.** The territory consisting of all portions of Park Road and the Baileyville Commercial Park now in Baring Plantation, Washington County, is separated and set off from Baring Plan-

tation and incorporated into the Town of Baileyville, Washington County.

See title page for effective date.

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## CHAPTER 7

### H.P. 537 - L.D. 757

#### An Act To Amend the Charter of the Richmond Utilities District

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

**Sec. 1.** P&SL 1961, c. 154, §14-A, as amended by P&SL 1999, c. 23, §1, is further amended to read:

**Sec. 14-A. Authorized to borrow money, to issue bonds and notes.** For accomplishing the purpose of this Act, the district, by vote of its board of trustees, without district vote except as provided, is authorized to borrow money temporarily and to issue its negotiable notes; and for the purpose of renewing and refunding the indebtedness so created, of paying necessary expenses and liabilities incurred under the provisions of this Act, and in acquiring properties, paying damages, laying pipes, mains, sewers, drains and conduits, purchasing, constructing, maintaining and operating a water system and a sewerage system and making renewals, additions, extensions and improvements to such systems and to cover interest payments during the period of construction, the Richmond Utilities District, by votes of its board of trustees, without district vote except as provided, is also authorized to issue, from time to time, bonds, notes or other evidences of indebtedness of the district in such amount or amounts, bearing interest at such rate or rates, and having such terms and provisions as the trustees determine, ~~except that the total indebtedness of the district may not exceed the sum of \$2,000,000 at any one time outstanding or such other amount as may be established pursuant to section 14-B and in.~~ In the case of a vote by the trustees to authorize bonds or notes to pay for the acquisition of property, ~~except for the original acquisition of property of Richmond Water Works,~~ for the cost of a water system or sewerage system or part of a water system or sewerage system, for renewals or additions or for other improvements in the nature of capital costs, the estimated cost of which singly or in the aggregate included in any one financing is \$30,000 or more, but not for renewing or refunding existing indebtedness or to pay for maintenance, repairs or for current expenses, notice of the proposed debt and of the general purpose or purposes for which it was authorized must be given by the clerk by publication at least once in a newspaper or newsletter having a general circulation in the Town of Richmond and

mailed to district voters and customers via postcard or bill insert. No debt may be incurred under such vote of the trustees until the expiration of 7 14 full days following the date on which such notice was first published and mailed. Prior to the expiration of that period, the trustees may call a special district meeting for the purpose of permitting the voters of the district to express approval or disapproval of the amount of debt so authorized, and the trustees shall call a special district meeting, if within 7 14 full days following the publication and mailing of the notice, there ~~shall have~~ has been filed with the clerk of the district a petition or petitions signed by not less than 50 qualified voters of the district requesting that such a special district meeting be called. If at the district meeting a majority of voters present and voting ~~thereon~~ expresses disapproval of the amount of debt authorized by the trustees, the debt ~~shall may~~ not be incurred and the vote of the trustees authorizing the same ~~shall be~~ is void and of no effect. The bonds, notes and evidences of indebtedness may be issued to mature serially in annual installments of not less than 1% of the face amount of the issue and beginning not later than 2 years from the date ~~thereof of issue,~~ or made to run for such periods as the trustees may determine, but no issue ~~thereof~~ shall of bonds, notes or evidences of indebtedness may run for a longer period than 40 years from the date of original issue ~~thereof.~~ Bonds, notes or evidences of indebtedness may be issued with or without provision for calling the same prior to maturity, and if callable may be made callable at par or at a premium as the trustees may determine. All bonds, notes or other evidences of indebtedness ~~shall must~~ have inscribed upon their face the words "Richmond Utilities District," ~~shall must~~ be signed by the treasurer and countersigned by the ~~chairman~~ chair of the board of trustees of the district, and if coupon bonds are issued, the interest coupons attached ~~thereto shall to the coupon~~ bonds must bear the facsimile of the signature of the treasurer. All bonds, notes and evidences of indebtedness so issued by the district ~~shall be~~ are legal obligations of the district, which is ~~hereby~~ declared to be a quasi-municipal corporation within the meaning of the Maine Revised Statutes, Title 30 30-A, section 5053 chapter 120. The district may, from time to time, issue its bonds, notes and other evidences of indebtedness, for the purpose of paying, redeeming or refunding outstanding bonds, notes or evidences of indebtedness, and each authorized issue ~~shall constitute~~ constitutes a separate loan. All bonds, notes and evidences of indebtedness issued by the district ~~shall be~~ are legal investments for savings banks in the State of Maine and ~~shall be~~ are tax exempt. The district is ~~hereby~~ authorized and empowered to enter into agreements with the State or Federal Government, or any agency ~~or of~~ either, or any corporation, commission or board authorized by the State or Federal Government to grant or loan money to or otherwise assist in the financing of projects such as the district is authorized to carry out,

and to accept grants and borrow money from any such government agency, corporation, commission or board as may be necessary or desirable to enforce the provisions of this Act. All notes and bonds with the maturity of more than one year ~~shall~~ must be first approved by the Public Utilities Commission pursuant to the Maine Revised Statutes, Title 35 35-A, section 171-902.

**Sec. 2. P&SL 1999, c. 23, §2** is repealed.

See title page for effective date.

**CHAPTER 8**  
**H.P. 598 - L.D. 849**

**An Act To Require the State  
To Maintain an  
Interest-bearing Account of  
Privately Donated Funds for  
Saxl Park in the City of Bangor**

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

**Sec. 1. Private donations to benefit Saxl Park.** Notwithstanding any other provision of law to the contrary and subject to conditions placed by a donor, the State Controller shall deposit any privately donated funds received by the State to expend on behalf of the Saxl Park Advisory Committee, as set out under Resolve 2007, chapter 201, section 10, for the purpose of maintaining, operating and improving Saxl Park in the City of Bangor, including the unexpended balance of any funds received pursuant to Resolve 2007, chapter 201 as of the effective date of this Act, into an interest-bearing account. Any interest earned on the funds must be used for the same purpose. Notwithstanding any other provision of law to the contrary, the receipt and expenditure of privately raised funds to benefit Saxl Park, except expenditures for public improvement projects of \$100,000 or more, are exempt from the requirements of the Maine Revised Statutes, Title 5, chapters 153 and 155. Nothing in this section may be construed to exempt any other expenditure from the requirements of Title 5, chapters 153 and 155.

**Sec. 2. Resolve 2007, c. 201, §10, sub-§2** is repealed.

See title page for effective date.

**CHAPTER 9**

**H.P. 928 - L.D. 1334**

**An Act To Authorize the Town  
of Atkinson To Withdraw from  
School Administrative District  
No. 41**

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

**Sec. 1. Withdrawal from school administrative district authorized.** The Town of Atkinson, which formed School Administrative District No. 41 with other municipalities pursuant to Private and Special Law 1965, chapter 68, is authorized to withdraw from School Administrative District No. 41 if it meets the requirements of the Maine Revised Statutes, Title 20-A, section 1466.

See title page for effective date.

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RESOLVES OF THE STATE OF MAINE  
AS PASSED AT  
THE FIRST REGULAR SESSION OF THE  
ONE HUNDRED TWENTY-EIGHTH LEGISLATURE  
2017

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**CHAPTER 1**  
**H.P. 163 - L.D. 207**

**Resolve, To Designate a Bridge  
in East Machias as the Norman  
E. Bagley Memorial Bridge**

**Sec. 1. Route 191 bridge named. Resolved:** That the Department of Transportation shall designate Bridge 3219 on Route 191 that crosses the East Machias River in the Town of East Machias the Norman E. Bagley Memorial Bridge and shall erect an appropriate sign or signs to proclaim this designation.

See title page for effective date.

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**CHAPTER 2**  
**S.P. 409 - L.D. 1218**

**Resolve, To Allow the  
Commissioner of Inland  
Fisheries and Wildlife To  
Extend the 2017 Ice Fishing  
Season**

**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 open-water fishing season is scheduled to begin April 1, 2017; and

**Whereas,** weather conditions are still conducive to ice fishing in some areas 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 preservation of the public peace, health and safety; now, therefore, be it

**Sec. 1. Authority to extend 2017 ice fishing season. Resolved:** That, notwithstanding any other provision of law, the Commissioner of Inland Fisheries and Wildlife may adopt emergency rules to extend the 2017 ice fishing season on the inland waters of the State if the extension is warranted due to weather conditions.

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

Effective March 30, 2017.

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**CHAPTER 3**  
**H.P. 227 - L.D. 294**

**Resolve, To Name the Bridge  
over the Penobscot River in the  
Towns of Enfield and Howland  
King's Bridge**

**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 resolve designates the newly built bridge that spans the Penobscot River in the Town of Enfield and the Town of Howland King's Bridge after Leeman King of Howland and Philip and Carroll King of Enfield; and

**Whereas,** the Town of Howland and the Town of Enfield have issued proclamations regarding the new bridge, and formal designation by the State must be made before the end 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

**Sec. 1. Bridge in Enfield and Howland named. Resolved:** That the Department of Transportation shall designate the bridge that spans the Penobscot River in the Town of Enfield and the Town of Howland King's Bridge.

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

Effective April 10, 2017.

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**CHAPTER 4**  
**H.P. 327 - L.D. 461**

**Resolve, Regarding Legislative  
Review of Chapter 220:  
Removal of Provider of Last  
Resort Service Obligation, a  
Major Substantive Rule of the  
Public Utilities Commission**

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

**Whereas,** the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

**Sec. 1. Adoption. Resolved:** That final adoption of Chapter 220: Removal of Provider of Last Resort Service Obligation, a provisionally adopted major substantive rule of the Public Utilities Commission that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective April 11, 2017.

**CHAPTER 5**  
**H.P. 503 - L.D. 712**

**Resolve, To Designate a  
Portion of Route 43 in Corinth,  
Exeter and Corinna the Donald  
Strout, Sr., Memorial Highway**

**Sec. 1. Designate Route 43 the Donald Strout Highway. Resolved:** That the Department of Transportation shall designate Route 43 from its intersection with Route 15 in the Town of Corinth to

its intersection with Route 7 in the Town of Corinna the Donald Strout, Sr., Memorial Highway.

See title page for effective date.

**CHAPTER 6**  
**H.P. 325 - L.D. 458**

**Resolve, Regarding Legislative  
Review of Portions of Chapter  
101: MaineCare Benefits  
Manual, Chapter III, Section  
97, Private Non-Medical  
Institution Services, a  
Late-filed Major Substantive  
Rule of the Department of  
Health and Human Services**

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

**Whereas,** the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature outside the legislative rule acceptance period; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97, Private Non-Medical Institution Services, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized.

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

Effective April 19, 2017.

**CHAPTER 7**  
**H.P. 409 - L.D. 569**

**Resolve, Regarding Legislative  
Review of Chapter 5: Maine  
Disaster Recovery Fund, a  
Major Substantive Rule of the  
Department of Defense,  
Veterans and Emergency  
Management, Maine  
Emergency Management  
Agency**

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

**Whereas**, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas**, the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas**, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

**Sec. 1. Adoption. Resolved:** That final adoption of Chapter 5: Maine Disaster Recovery Fund, a provisionally adopted major substantive rule of the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

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

Effective April 28, 2017.

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**CHAPTER 8**  
**H.P. 398 - L.D. 556**

**Resolve, Regarding Legislative  
Review of Portions of Chapter  
191: Health Maintenance  
Organizations and of the Final  
Repeal of Chapter 750:  
Standardized Health Plans,  
Major Substantive Rules of the  
Department of Professional  
and Financial Regulation,  
Bureau of 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 Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted, amended, suspended or repealed by the agency; and

**Whereas**, portions of Chapter 191: Health Maintenance Organizations have been submitted to the Legislature for review; and

**Whereas**, the final repeal of Chapter 750: Standardized Health Plans has been submitted to the Legislature for review; and

**Whereas**, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of Chapter 191: Health Maintenance Organizations and on final repeal of Chapter 750: Standardized Health Plans; and

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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 191: Health Maintenance Organizations and final repeal of Chapter 750: Standardized Health Plans, a provisionally adopted major substantive rule and a provisionally repealed major substantive rule, respectively, of the Department of Professional and Financial Regulation, Bureau of Insurance that have been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, are authorized.

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

Effective April 30, 2017.

## CHAPTER 9

H.P. 969 - L.D. 1395

**Resolve, To Name the Bridge over the Androscoggin River between the Towns of Peru and Mexico the PFC Buddy Wendall McLain Memorial Bridge**

**Sec. 1. Bridge in the towns of Peru and Mexico named. Resolved:** That the Department of Transportation shall designate Bridge 2019, which crosses the Androscoggin River between the Town of Peru and the Town of Mexico, the PFC Buddy Wendall McLain Memorial Bridge and shall erect an appropriate sign or signs to proclaim this designation.

See title page for effective date.

## CHAPTER 10

H.P. 977 - L.D. 1419

**Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a Late-filed Major Substantive Rule of the Department of Health and Human Services**

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

**Whereas,** the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature outside the legislative rule acceptance period; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29, Allowances for Support Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized.

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

Effective May 31, 2017.

## CHAPTER 11

H.P. 979 - L.D. 1421

**Resolve, Authorizing the State Tax Assessor To Convey the Interest of the State in Certain Real Estate in the Unorganized Territory**

**Sec. 1. State Tax Assessor authorized to convey real estate. Resolved:** That the State Tax Assessor is authorized to convey by sale the interest of the State in real estate in the Unorganized Territory as indicated in this resolve. Except as otherwise directed in this resolve, the sale must be made to the highest bidder subject to the following provisions.

1. Notice of the sale must be published 3 times prior to the sale, once each week for 3 consecutive weeks, in a newspaper in the county where the real estate lies, except in those cases in which the sale is to be made to a specific individual or individuals as authorized in this resolve, in which case notice need not be published.

2. A parcel may not be sold for less than the amount authorized in this resolve. If identical high bids are received, the bid postmarked with the earliest date is considered the highest bid.

If bids in the minimum amount recommended in this resolve are not received after the notice, the State Tax Assessor may sell the property for not less than the minimum amount without again asking for bids if the property is sold on or before April 1, 2018.

Employees of the Department of Administrative and Financial Services, Bureau of Revenue Services and spouses, siblings, parents and children of employees of the Bureau of Revenue Services are barred from acquiring from the State any of the real property subject to this resolve.

Upon receipt of payment as specified in this resolve, the State Tax Assessor shall record the deed in the appropriate registry at no additional charge to the purchaser before sending the deed to the purchaser.

Abbreviations and plan and lot references are identified in the 2014 Unorganized Territory valuation book. Parcel descriptions are as follows:

**2014 MATURED TAX LIENS**

Cross Lake Twp, Aroostook County

Map AR031, Plan 1, Lot 108 038990138-2

Bouchard, Dwayne M., Jr. building on leased land

TAX LIABILITY

2014	\$80.08
2015	82.05
2016	81.47
2017 (estimated)	81.47
<hr/>	
Estimated Total Taxes	\$325.07
Interest	11.28
Costs	38.00
Deed	19.00
<hr/>	
Total	\$393.35

Recommendation: Sell to Bouchard, Dwayne M., Jr. for \$393.35. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$400.00.

Connor Twp, Aroostook County

Map AR105, Plan 2, Lot 132.1 038020065-4

Caron, Kimberly 0.25 acres with building

TAX LIABILITY

2014	\$200.10
2015	207.28
2016	151.29
2017 (estimated)	151.29
<hr/>	
Estimated Total Taxes	\$709.96
Interest	21.20
Costs	57.00
Deed	19.00
<hr/>	
Total	\$807.16

Recommendation: Sell to Caron, Kimberly for \$807.16. If she does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$825.00.

Connor Twp, Aroostook County

Map AR105, Plan 6, Lot 40 038020216-1

Ramsdell, Joyce L. 1.35 acres

TAX LIABILITY

2014	\$33.99
2015	35.20
2016	32.36
2017 (estimated)	32.36
<hr/>	
Estimated Total Taxes	\$133.91
Interest	4.80
Costs	38.00
Deed	19.00
<hr/>	
Total	\$195.71

Recommendation: Sell to Ramsdell, Joyce L. for \$195.71. If she does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$200.00.

T2 R3 WBKP, Franklin County

Map FR006, Plan 1, Lot 1.1 078130033-2  
 Stokes, Thomas building on leased land

Recommendation: Sell to Rich, Todd K. for \$727.97. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$750.00.

TAX LIABILITY

2014	\$75.65
2015	76.39
2016	76.80
2017 (estimated)	76.80

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Estimated Total Taxes	\$305.64
Interest	10.61
Costs	38.00
Deed	19.00
<hr/>	
Total	\$373.25

Recommendation: Sell to Stokes, Thomas for \$373.25. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$375.00.

Albany Twp, Oxford County

Map OX016, Plan 1, Lot 137.1 178020799-2  
 Rich, Todd K. 7.10 acres

Recommendation: Sell to Melanson, George for \$818.17. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$825.00.

TAX LIABILITY

2014	\$166.53
2015	170.89
2016	155.04
2017 (estimated)	155.04

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Estimated Total Taxes	\$647.50
Interest	23.47
Costs	38.00
Deed	19.00
<hr/>	
Total	\$727.97

Kingman Twp, Penobscot County

Map PE036, Plan 6, Lot 74 198080070-3

Melanson, George 5.14 acres with building

TAX LIABILITY

2014	\$181.60
2015	182.44
2016	166.51
2017 (estimated)	166.51

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Estimated Total Taxes	\$697.06
Interest	26.11
Costs	76.00
Deed	19.00
<hr/>	
Total	\$818.17

Map PE036, Plan 2, Lots 61.2, 62.1 and 62.2 198080026-1

Worster, Vance and Katherine 2.00 acres with building

TAX LIABILITY

2014	\$729.95
2015	872.52
2016	836.21
2017 (estimated)	836.21

<hr/>	
Estimated Total Taxes	\$3,274.89

Interest	107.18
Costs	38.00
Deed	19.00
<hr/>	
Total	\$3,439.07

Recommendation: Sell to Worster, Vance and Katherine for \$3,439.07. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$3,450.00.

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Prentiss Twp, Penobscot County

Map PE039, Plan 8, Lot 39 192700291-1  
 Mohla, Harry 0.35 acres with building

TAX LIABILITY

2014	\$24.51
2015	24.62
2016	51.28
2017 (estimated)	51.28
<hr/>	
Estimated Total	\$151.69

Taxes	
Interest	3.43
Costs	38.00
Deed	19.00
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Total	\$212.12

Recommendation: Sell to Mohla, Harry for \$212.12. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$225.00.

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TA R13 WELS, Piscataquis County

Map PI047, Plan 7, Lot 1 218092032-2  
 Donnelly, Catherine L. and Edd W. 2.93 acres

TAX LIABILITY

2014	\$1,035.97
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2015	1,001.58
2016	996.52
2017 (estimated)	996.52
<hr/>	
Estimated Total	\$4,030.59

Taxes	
Interest	143.84
Costs	38.00
Deed	19.00
<hr/>	
Total	\$4,231.43

Recommendation: Sell to Donnelly, Catherine L. and Edd W. for \$4,231.43. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$4,250.00.

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T1 R1 TS, Washington County

Map WA018, Plan 1, Lot 1 298070004-2  
 Roy, Philip building on leased land

TAX LIABILITY

2014	\$51.42
2015	53.97
2016	53.26
2017 (estimated)	53.26
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Estimated Total	\$211.91

Taxes	
Interest	7.29
Costs	38.00
Deed	19.00
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Total	\$276.20

Recommendation: Sell to Roy, Philip for \$276.20. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$300.00.

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Brookton Twp, Washington County

Map WA028, Plan 2, Lot 9 298010001-2

Pannone, Joseph and Jacquelin David 0.08 acres

Recommendation: Sell to Patterson, William A. for \$6,853.03. If he does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$6,875.00.

TAX LIABILITY

2014	\$9.57
2015	9.98
2016	13.84
2017 (estimated)	13.84
<hr/>	
Estimated Total Taxes	\$47.23
Interest	1.35
Costs	38.00
Deed	19.00
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Total	\$105.58

Recommendation: Sell to Pannone, Joseph and Jacquelin David for \$105.58. If they do not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$125.00.

T1 R1 NBKP T & R, Somerset County

Map SO031, Plan 5, Lot 8.6 258030201-1

Patterson, William A. 5.00 acres

TAX LIABILITY

2012	\$5,190.00
2013	179.12
2014	176.12
2015	181.04
2016 (estimated)	181.04
2017 (estimated)	184.69
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Estimated Total Taxes	\$6,092.01
Interest	691.02
Costs	51.00
Deed	19.00
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Total	\$6,853.03

See title page for effective date.

**CHAPTER 12  
H.P. 95 - L.D. 127**

**Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age 20, a Major Substantive Rule of the Department of Education**

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

**Whereas,** the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age 20, a provisionally adopted major substantive rule of the Department of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made to the provisionally adopted major substantive rule.

The rule must be amended in Section VII.2.L(2), which concerns the determination by the Individualized Educational Program Team, referred to in this resolve as "the IEP Team," of the existence of a specific learning disability using a pattern of appropriate assessments, by:

1. Inserting in Section VII.2.L(2)(a)(ii)(aa) the requirement that the general education interventions under Section III of the rule must be included in the data collected by the IEP Team when the team uses a process based on the child's response to scientific, research-based intervention; and

2. Removing from Section VII.2.L(2)(a)(ii)(dd) the limitation that the psychological processing data from standardized measures to identify contributing factors must be considered only as available and as determined to be relevant by the child's IEP Team.

The Department of Education is not required to hold hearings or undertake further proceedings prior to final adoption of the rule in accordance with this section.

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

Effective June 2, 2017.

## CHAPTER 13

### H.P. 326 - L.D. 459

#### **Resolve, Regarding Legislative Review of Portions of Chapter 3: Maine Clean Election Act and Related Provisions, a Major Substantive Rule of the Commission on Governmental Ethics and Election Practices**

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

**Whereas,** the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 3: Maine Clean Elec-

tion Act and Related Provisions, a provisionally adopted major substantive rule of the Commission on Governmental Ethics and Election Practices that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized only if the following changes are made:

1. The rule must be amended in Section 2, subsection 2, paragraph I to remove the requirement that a candidate seeking certification as a Maine Clean Election Act candidate acknowledge, in a declaration of intent, that the candidate is responsible for training individuals that the candidate authorizes to collect qualifying contributions; and

2. The rule must be amended in Section 2, subsection 4 by removing the requirements, set out in paragraph J, relating to when a participating candidate has authorized individuals to collect qualifying contributions for the candidate, including those requiring that candidates exercise due diligence to ensure qualifying contributions collected by others are compliant and providing that unless the candidate had no knowledge of fraudulent contributions, the candidate is ineligible for Maine Clean Election Act funds.

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

Effective June 7, 2017.

## CHAPTER 14

### H.P. 645 - L.D. 917

#### **Resolve, To Require a Review of the State Employee and Teacher Retirement Plan**

**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 resolve establishes a working group to evaluate and design retirement plan options for all state employees and teachers; and

**Whereas,** the working group must be convened before the 90-day period expires in order that the evaluation may be completed and a report submitted in time for submission to the next legislative session; and

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

**Sec. 1. Evaluation and design of retirement benefit plan for state employees and teachers; working group established.**

**Resolved:** That the Maine Public Employees Retirement System and the Department of Administrative and Financial Services, within their existing resources, shall jointly convene and provide necessary staffing assistance to a working group to evaluate and design retirement plan options for all state employees and teachers in accordance with this section.

**1. Definitions.** As used in this resolve, unless the context otherwise indicates, the following terms have the following meanings.

- A. "State employee" has the same meaning as in the Maine Revised Statutes, Title 5, section 17001, subsection 40.
- B. "Teacher" has the same meaning as in Title 5, section 17001, subsection 42.

**2. Membership.** The working group consists of:

- A. The Executive Director of the Maine Public Employees Retirement System, who serves as the chair of the working group;
- B. The Commissioner of Administrative and Financial Services or the commissioner's designee;
- C. One member appointed by the Commissioner of Administrative and Financial Services;
- D. Two members appointed by the chair of the working group from nominations submitted by the Maine Education Association;
- E. Two members appointed by the chair of the working group from nominations submitted by the Maine School Management Association;
- F. Two members appointed by the chair of the working group from nominations submitted by the Maine State Employees Association; and
- G. One member appointed by the chair of the working group from nominations submitted by the Maine Association of Retirees, who serves as a nonvoting member of the working group.

**3. Retirement plan options.** The working group shall evaluate various retirement plan options, including but not limited to the:

- A. Creation of a new tier of the current retirement plan for new hires;
- B. Establishment of a separate and new retirement plan for new hires;
- C. Modification of the current retirement plan for existing members and new hires;
- D. Coverage of new hires under the United States Social Security Act;

E. Establishment of supplemental voluntary retirement plans.

**4. Evaluation criteria.** In evaluating retirement plan options, the working group shall assess the likelihood of each option to:

- A. Attract and retain new state employees and teachers;
- B. Provide for portability that benefits employers and employees;
- C. Meet the needs of state employees and teachers for retirement security, including providing a secure income stream in retirement;
- D. Manage risk with predictable and realistic long-term costs and benefits;
- E. Be administratively efficient; and
- F. Provide financial information to employees in planning for retirement.

**5. Duties.** In evaluating and designing retirement plan options for state employees and teachers, the working group shall consult, as needed, with experts in the retirement and investment field and shall identify the plan or plans that it recommends for consideration by the Legislature. In identifying a plan or plans, the working group shall determine the financial impact of each plan on the employee or teacher and on the State and shall develop implementation timelines and criteria for the plan or plans the working group recommends for consideration by the Legislature; and be it further

**Sec. 2. Report. Resolved:** That no later than January 1, 2018, the Maine Public Employees Retirement System shall submit to the Legislature the report of the working group established in section 1 on the retirement plan option or options that the working group recommends for consideration by the Legislature, including any necessary implementing legislation that, notwithstanding Joint Rule 353, is authorized for introduction to the Second Regular Session of the 128th Legislature.

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

Effective June 7, 2017.

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**CHAPTER 15**  
**H.P. 841 - L.D. 1205**

**Resolve, Regarding Legislative  
Review of Portions of Chapter  
101: MaineCare Benefits  
Manual, Chapter III, Section  
21, Allowances for Home and  
Community Services for Adults  
with Intellectual Disabilities or  
Autism Spectrum Disorder, a  
Late-filed Major Substantive  
Rule of the Department of  
Health and Human Services**

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature outside the legislative rule acceptance period; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21, Allowances for Home and Community Services for Adults with Intellectual Disabilities or Autism Spectrum Disorder, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized only if:

1. In Section 1050 of the rule, the definition of "per diem" is changed to:

A. Remove the proposed requirement that a provider bill only for days on which a member is receiving per diem home support at 11:59 p.m.;

B. Clarify that there is no requirement that a provider bill only for days on which a member is physically present in the home at 11:59 p.m.; and

C. Clarify that on days when a member is transitioning between providers of home support, only the provider providing home support services at 11:59 p.m. may bill for home support; and

2. In Section 2000 of the rule, relating to audit of services provided, the proposed change in the documentation requirement for staffing schedules is removed so that the documentation requirement remains as it is in current rules, which require documentation showing the hours and the name of the direct staff scheduled to work at the facility.

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

Effective June 8, 2017.

**CHAPTER 16**  
**H.P. 940 - L.D. 1363**

**Resolve, Regarding Legislative  
Review of Portions of Chapter  
11: Rules Governing the  
Controlled Substances  
Prescription Monitoring  
Program and Prescription of  
Opioid Medications, a  
Late-filed Major Substantive  
Rule of the Department of  
Health and Human Services**

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

Whereas, the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

Whereas, the above-named major substantive rule has been submitted to the Legislature outside the legislative rule acceptance period; and

Whereas, immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring

Program and Prescription of Opioid Medications, a provisionally adopted major substantive rule of the Department of Health and Human Services that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized only if:

**1. Cancer aftercare.** In Section 4, subsection A, paragraph 4, subparagraph b, division (i) in the portion of the rule that is a routine technical rule, Exemption Code A for active and aftercare cancer treatment must be amended to remove the 6-month limit for aftercare cancer treatment post remission;

**2. Second prescriptions for opioids.** In Section 4, subsection A, paragraph 4, subparagraph b, division (i) in the portion of the rule that is a routine technical rule, Exemption Code H is amended to provide that if an individual is prescribed a 2nd opioid after proving unable to tolerate a first opioid, the individual is not required to return the initial prescription to a pharmacy for collection prior to dispensation of the 2nd prescription. The department shall recommend to dispensers that a patient be provided with guidance on proper disposal of the first opioid prescription;

**3. Early refills.** In Section 4, subsection B of the rule, a new paragraph 3 is added to allow for dispensers to provide an early refill of a prescription to an individual before the refill date if, in the judgment of the dispenser, the early refill does not represent a pattern of early refill requests by the individual;

**4. Verification by dispensers.** In Section 4, subsection B of the rule, a new paragraph 4 is added to allow for dispensers to contact prescribers by telephone to verify and document information about prescriptions;

**5. Out-of-state prescriptions.** In Section 4, subsection B of the rule, a new paragraph 5 is added to establish a process for a dispenser who receives a prescription for an opioid medication from an out-of-state prescriber that does not comply with department rules. The dispenser may fill the prescription if the dispenser records an oral confirmation with the validity of the prescription from the out-of-state prescriber and documents any missing information such as diagnosis code, exemption code and acute or chronic pain notation and the dispenser makes a reasonable effort to determine that the oral confirmation came from the prescriber or prescriber's agent, which may include a telephone call to the prescriber's telephone number listed in a telephone directory or other directory; and

**6. Delayed implementation of ICD-10 codes.** In Section 5, subsection C, paragraph 1, subparagraph n of the rule, the requirement for dispensers to provide information to the Prescription Monitoring Program on the exemption code and ICD-10 code is delayed until July 1, 2018 and a provision is added to authorize a

waiver after that date from the department for dispensers who are unable with good cause to comply with the requirement.

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

Effective June 19, 2017.

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## CHAPTER 17

### H.P. 941 - L.D. 1364

#### **Resolve, Regarding Legislative Review of Portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97: Private Non-Medical Institution Services, a Major Substantive Rule of the Department of Health and Human Services**

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

**Whereas,** the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature for review; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 97: Private Non-Medical Institution Services, a provisionally adopted major substantive rule of the Department of Health and Human Services that was submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A on June 6, 2016, is not authorized.

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

Effective June 20, 2017.

## CHAPTER 18

### S.P. 313 - L.D. 957

#### **Resolve, To Direct Legislative Staff To Recodify and Revise Title 28-A of the Maine Revised Statutes**

**Sec. 1. Recodification and revision of Title 28-A of the Maine Revised Statutes. Resolved:** That the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes, referred to in this resolve as "legislative staff," shall prepare a recodification and revision of the Maine Revised Statutes, Title 28-A for introduction in the First Regular Session of the 129th Legislature. Legislative staff may consult with the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations, the Office of the Attorney General and other interested parties in preparing the recodification and revision.

Legislative staff shall submit the recodification and revision to the joint standing committee of the Legislature having jurisdiction over liquor matters no later than January 15, 2019.

See title page for effective date.

## CHAPTER 19

### H.P. 1128 - L.D. 1635

#### **Resolve, Authorizing Certain Land Transactions by the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands**

**Preamble.** The Constitution of Maine, Article IX, Section 23 requires that real estate held by the State for conservation or recreation purposes may not be reduced or its uses substantially altered except on the vote of 2/3 of all members elected to each House.

**Whereas,** certain real estate authorized for conveyance by this resolve is under the designations described in the Maine Revised Statutes, Title 12, section 598-A; and

**Whereas,** the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may sell or exchange lands or interests in lands with the approval of the Legislature

in accordance with the Maine Revised Statutes, Title 5, section 6209 and Title 12, sections 1814, 1837 and 1851; now, therefore, be it

**Sec. 1. Director of Bureau of Parks and Lands authorized to grant an access easement to the Town of Fort Kent across the Fort Kent State Historic Site. Resolved:** That the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may grant an access easement to the Town of Fort Kent for the purposes of crossing over land owned by the bureau as the Fort Kent State Historic Site. This easement is required by the United States Army Corps of Engineers as part of the project to heighten and strengthen the earthen flood barrier along the St. John River and would extend the barrier to protect the Fort Kent Blockhouse, a state-owned National Historic Landmark, from future flooding.

See title page for effective date.

## CHAPTER 20

### H.P. 295 - L.D. 404

#### **Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, a Late-filed Major Substantive Rule of the State Board of Education**

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

**Whereas,** the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A requires legislative authorization before major substantive agency rules may be finally adopted by the agency; and

**Whereas,** the above-named major substantive rule has been submitted to the Legislature outside the legislative rule acceptance period; and

**Whereas,** immediate enactment of this resolve is necessary to record the Legislature's position on final adoption of the rule; and

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

**Sec. 1. Adoption. Resolved:** That final adoption of portions of Chapter 115: Certification,

Authorization and Approval of Education Personnel, a provisionally adopted major substantive rule of the State Board of Education that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized only if the following changes are made to the provisionally adopted major substantive rule:

1. The rule must be amended in Part I, Section 4, 4.2, C, which concerns the determination of eligibility for alternative pathways for certification by the Department of Education, by restoring the current language of this section regarding the waiver of the requirement for student teaching upon documentation of substantial teaching experience;

2. The rule must be amended in current Part I, Section 12, which concerns the functions and eligibility of substitute personnel, by revising the section header and the section provisions to address the functions and eligibility of long-term substitute personnel by:

A. Restoring the current language of 12.1, A and amending the provision to specify that substitute personnel may serve on a long-term basis;

B. Restoring the current language of 12.1, B;

C. Restoring the current language of 12.2, A and amending the provision to specify the eligibility that the Department of Education can specify for substitute personnel on a long-term basis;

D. Restoring the current language of 12.2, B, 1 and amending the provision to specify that substitute teachers and education specialists may serve on a long-term basis and to establish that a school administrative unit may consider a waiver if finding candidates that meet the eligibility criteria is difficult; and

E. Restoring the current language of 12.2, B, 4;

3. The rule must be amended in current Part I, Section 13, which was renumbered as Section 12 and which concerns the reinstatement of a lapsed certificate, authorization or approval of educational personnel, by restoring the section as Section 13 since Section 12 will be restored and amended;

4. The rule must be amended in Part I, Section 13, which was renumbered as Section 12, by striking all of new Section 12, 12.5, which concerns the reinstatement of revoked certification;

5. Since Part I, Section 12 will be restored and amended, all the cross-references to the current provisions of Part I that follow Section 12 that are restored must be restored;

6. The rule must be amended in Part II, Section 1, 1.2, B, 2, (d), which concerns the development of Endorsement Eligibility Pathway 2 for elementary school

teachers, by clarifying that the endorsement eligibility is subject to the completion of courses that include 3 semester hours in reading methods and 3 semester hours in writing instruction methods;

7. The rule must be amended in Part II, Section 1, 1.5, B, 1, (d), which concerns the development of Endorsement Eligibility Pathway 1 for public preschool through grade 12 teachers, by clarifying that the endorsement eligibility is subject to passing the content area assessment for Art, Music, Theater and Dance for the Entry Level Teacher's Assessment;

8. The rule must be amended in Part II, Section 1, 1.5, B, 2, (d), which concerns the development of Endorsement Eligibility Pathway 2 for public preschool through grade 12 teachers, by clarifying that the endorsement eligibility is subject to passing the content area assessment for Art, Music, Theater and Dance for the Entry Level Teacher's Assessment; and

9. The rule must be amended in Part II, Section 3, 3.1, B, 1, (e), which concerns the development of endorsement for secondary career and technical education teachers in grades 9 through 12, by clarifying that the endorsement eligibility is subject to meeting the cut score on the Basic Skills Test in reading, writing and mathematics or earning a passing grade in 2 college-level courses in English language arts and mathematics.

The State Board of Education is not required to hold hearings or undertake further proceedings prior to final adoption of the rule in accordance with this section.

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

Effective June 23, 2017.

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## CHAPTER 21

### H.P. 289 - L.D. 398

#### **Resolve, To Establish the Task Force To Recognize Computer Science in the Path to Proficiency**

**Sec. 1. Science, Technology, Engineering and Mathematics Council to form task force to recognize computer science in the path to proficiency. Resolved:** That the Science, Technology, Engineering and Mathematics Council, referred to in this resolve as "the council," shall establish and convene a computer science education task force, referred to in this resolve as "the task force," to develop an informed strategy to integrate computer science into the State's proficiency-based high school diploma requirements, as well as to expose all students to com-

puter science as a basic skill and as a potential career path. The council shall invite members to the task force and appoint the task force chair, who must be a person whose professional responsibilities include the advancement of computer science professional development and education in the State and who is aligned with the State's business community in carrying out those responsibilities; and be it further

**Sec. 2. Duties. Resolved:** That the duties of the task force must include, but are not limited to, the following.

1. The task force shall recommend a framework for an effective kindergarten to grade 12 computer science education system in the State and outline a strategy to ensure students have access to this education system. The task force shall:

A. Identify the key elements of computer science education that provide mathematics or science competencies needed to attain a proficiency-based diploma;

B. Identify models of age-appropriate computer science curricula that provide students in kindergarten to grade 12 basic knowledge of and familiarity with computer science concepts and applications and opportunities to explore how computer science may serve their educational needs and career aspirations; and

C. Develop a sustainable professional development strategy to deliver kindergarten to grade 12 computer science education and to ensure that all students have access to computer science education.

2. In determining the strategy described in subsection 1, the task force shall investigate best practices for and barriers to implementation of the strategy. The task force shall:

A. Identify and inventory computer science education activities currently underway in the State and in other states, including:

(1) Classroom initiatives integrating computer science education into existing curricular opportunities;

(2) Full access to courses that provide an opportunity for credit from an institution of higher learning; and

(3) Models of education that effectively use offsite resources and online learning opportunities to augment the resources available on site; and

B. Identify and inventory computer science professional development activities currently underway in the State and highlight best practices for and barriers encountered in delivering computer

science professional development to teachers across the State; and be it further

**Sec. 3. Coordination with Department of Education. Resolved:** That the task force shall coordinate with the Department of Education to provide information on identified areas of computer science education in the State and to enable the department to undertake rulemaking related to improving access to computer science education in the State. The work of the task force must inform and complement the work of the department, and nothing in the duties of the task force may be construed to mean that the department may not undertake initiatives or rulemaking related to computer science education separate from the work of the task force; and be it further

**Sec. 4. Report; recommendations. Resolved:** That the task force shall report its findings of best practices for computer science education and a recommended strategy to develop and implement a high-quality computer science education curriculum for all students to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2018. The task force is authorized to make recommendations, including proposed legislation and rules, in its report. The joint standing committee may report out a bill based upon the report to the Second Regular Session of the 128th Legislature; and be it further

**Sec. 5. Resources. Resolved:** That the council may provide funding and in-kind donations received from public or private sources to fund the costs of the task force and enable the task force to accomplish its duties. Any unused funds at the termination of the task force may be retained by the council.

See title page for effective date.

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## CHAPTER 22

### S.P. 590 - L.D. 1640

#### **Resolve, To Allow the Issuance of Open Burn Permits through Private Online Services**

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

**Whereas,** under current law, anyone performing out-of-door burning, including burning for agricultural purposes and of brush, leaves, wood waste and grass fields, is required to obtain a permit from the town forest fire warden or from the forest ranger having jurisdiction over the location where the fire is to be set; and

**Whereas**, until recently, as a convenience to the residents of the State, burn permits were available online and for free through a 3rd-party provider; and

**Whereas**, due to a change in interpretation of policy by the Commissioner of Agriculture, Conservation and Forestry, residents of the State are no longer able to get free online burn permits; and

**Whereas**, the burn permits issued online by the Department of Agriculture, Conservation and Forestry carry a cost of \$7 per permit; and

**Whereas**, in order to restore to the residents of the State the convenience of obtaining burn permits online and for no charge, it is necessary that this legislation 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

**Sec. 1. Department of Agriculture, Conservation and Forestry, Bureau of Forestry to allow municipalities to purchase burn permit software. Resolved:** That the Department of Agriculture, Conservation and Forestry, Bureau of Forestry shall allow municipalities to purchase and use burn permit software sold from a private party to issue burn permits pursuant to the Maine Revised Statutes, Title 12, section 9325 if all statutory requirements of issuing burn permits are met by the software.

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

Effective July 4, 2017.

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## CHAPTER 23

### H.P. 1121 - L.D. 1626

#### Resolve, Authorizing the Department of Inland Fisheries and Wildlife To Assume Ownership of the Forest City Project

**Sec. 1. Forest City Project. Resolved:** That, if the provisions of sections 2 and 3 are met, the Department of Inland Fisheries and Wildlife is authorized to assume ownership from Woodland Pulp LLC of that portion of a dam and water storage project known as the Forest City Project, together with associated flowage rights, easements and related facilities, located on the East Branch of the St. Croix River in Washington County and Aroostook County and referred to in this resolve as "the facility." The authorization under this

section is limited to that portion of the Forest City Project that is located within the territorial limits of the United States; and be it further

**Sec. 2. Federal Energy Regulatory Commission contingency. Resolved:** That the Department of Inland Fisheries and Wildlife may not assume ownership of the facility pursuant to section 1 unless the Federal Energy Regulatory Commission issues a written determination that no license issued by the Federal Energy Regulatory Commission to own or operate the facility will be required if the State owns the facility; and be it further

**Sec. 3. Operation and maintenance agreement contingency. Resolved:** That the Department of Inland Fisheries and Wildlife may not assume ownership of the facility pursuant to section 1 unless the State and Woodland Pulp LLC execute an agreement that provides that Woodland Pulp LLC and its successors will operate and maintain the facility at the direction of the State and in accordance with all applicable laws, rules and regulations and prudent industry practice, except to the extent that Woodland Pulp LLC or its successors are prevented from doing so by an unforeseen extraordinary event. The agreement must ensure that Woodland Pulp LLC and its successors operate and maintain the facility in accordance with the agreement required under this section at no cost to the State for a period of 15 years from the date the State acquires the facility; and be it further

**Sec. 4. Project management. Resolved:** That the Department of Inland Fisheries and Wildlife shall oversee the management of the facility if the facility is acquired pursuant to this resolve.

See title page for effective date.

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## CHAPTER 24

### H.P. 853 - L.D. 1231

#### Resolve, To Assess the Need for Mental Health Care Services for Veterans in Maine and To Establish a Pilot Program To Provide Case Management Services to Veterans for Mental Health Care

**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 establishes a pilot program to provide case management services to provide mental health treatment to veterans; and

**Whereas**, this legislation transfers for use by the pilot program funds recently appropriated for the purpose of providing aid to veterans; and

**Whereas**, those funds may lapse before the end 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

## PART A

**Sec. A-1. Hospitals to inquire about past military service of patients presenting for emergency care. Resolved:** That, beginning no later than January 1, 2018 and until December 31, 2020, a hospital licensed under the Maine Revised Statutes, Title 22, chapter 405 shall screen all patients presenting for emergency care at the hospital's emergency department regarding whether or not the patient has prior service in the military. This information must be added into the hospital's patient data management system; and be it further

**Sec. A-2. Hospitals to report data to the Commissioner of Health and Human Services. Resolved:** That, from January 1, 2018 to December 31, 2020, a hospital licensed under the Maine Revised Statutes, Title 22, chapter 405 shall compile data regarding the number of patients who identified as having served in the military who reported or presented a behavioral or mental health emergency when seeking care from the hospital emergency department, including the number who were admitted or referred for inpatient treatment for psychiatric care. The data collected in accordance with this subsection must not include information that would disclose the identity of the patient. Hospitals shall report the data to the Commissioner of Health and Human Services twice per year, for the period from January 1st to June 30th and for the period from July 1st to December 31st. The commissioner shall establish the date by which the data for each period must be reported; and be it further

**Sec. A-3. Commissioner may waive screening and data collection requirement. Resolved:** That the Commissioner of Health and Human Services may grant a waiver of the screening and data collection requirements of this resolve to a hospital that demonstrates that the requirements constitute an excessive burden that will substantially affect the operation of the hospital. The commissioner may not grant a waiver described under this section to more than 4 hospitals; and be it further

**Sec. A-4. Obligation to screen and collect data discontinued for certain hospitals. Resolved:** That, if reports submitted to the Commis-

sioner of Health and Human Services show that a hospital, in the initial 6-month period of data collection, identified 95% or more of the patients who presented for emergency care as having prior military service by the fact that they are enrolled and receive health care benefits from the United States Department of Veterans Affairs, the hospital is no longer required to screen patients and collect data as required by this resolve; and be it further

**Sec. A-5. Report required. Resolved:** That the Commissioner of Health and Human Services shall work with the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management to analyze the data submitted by hospitals in accordance with section 2 of this Part to quantify the unmet need for mental health care services, particularly inpatient mental health care services, and to identify gaps in mental health care services provided by the United States Department of Veterans Affairs. The commissioner and the director shall submit a report on the analysis to the joint standing committee of the Legislature having jurisdiction over veterans affairs no later than February 1, 2020; and be it further

**Sec. A-6. Commissioner shall distribute funds to mitigate costs of compliance. Resolved:** That, by July 15, 2018, the Commissioner of Health and Human Services shall distribute \$4,500 to each hospital that screened for military service and collected data in accordance with sections 2 and 3 of this Part.

## PART B

**Sec. B-1. Commissioner of Health and Human Services to establish pilot program to provide mental health case management services to veterans. Resolved:** That, beginning January 1, 2018, the Commissioner of Health and Human Services, referred to in this Part as "the commissioner," shall establish a pilot program to provide contracted case management services to provide necessary mental health treatment to veterans who are residents of the State. Case management services must include assisting veterans in gaining a range of mental and behavioral health services, which must include inpatient mental health care services. In establishing the pilot program, the commissioner shall consult with the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management, referred to in this Part as "the director," to identify regions where case management services are most needed and to identify veterans seeking case management services who are enrolled with the United States Department of Veterans Affairs and those who would likely be eligible to be enrolled. The pilot program described in this section must continue until January 1, 2020 or until the funds provided in Part C are exhausted.

1. The commissioner, with the assistance of the director, shall seek to coordinate services with the United States Department of Veterans Affairs and state agencies that offer mental health care services or provide assistance to veterans.

2. The commissioner may enter into regional contracts for the purpose of ensuring a statewide network of case management that provides coordinated mental health care services for Maine veterans, including, but not limited to, inpatient treatment as clinically required.

3. The commissioner, with the assistance of the director, shall establish criteria to determine eligibility for case management services to be provided in accordance with this section. A veteran who has received a mental health diagnosis or mental health disability rating from the United States Department of Veterans Affairs must be considered eligible for case management services. A veteran who is not enrolled with the United States Department of Veterans Affairs who is determined to require mental health care services by a licensed mental health professional may be considered eligible for case management and other behavioral health services based on the individual needs of the veteran.

4. The director shall work to assist veterans receiving case management services under the pilot program who are not enrolled with the United States Department of Veterans Affairs to determine eligibility and to assist with those veterans' enrollment and with filing claims to the United States Department of Veterans Affairs.

5. Case management and mental health professionals selected to participate in the pilot program must demonstrate military and veteran cultural competency.

6. An individual who served in the United States Armed Forces and meets the federal definition of veteran or is currently serving in the Maine Army National Guard or Air National Guard or the Reserves of the United States Armed Forces is eligible. Character of discharge is not a disqualifying eligibility criterion.

7. All veterans participating in the pilot program must be accounted for in the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services and the Department of Health and Human Services data collections.

8. Upon conclusion of the pilot program, the commissioner, in consultation with the director, shall prepare a written report of the services provided and make recommendations to the joint standing committee of the Legislature having jurisdiction over veterans affairs if appropriate; and be it further

**Sec. B-2. Veterans Mental Health Case Management and Services Fund. Resolved:**

That the Veterans Mental Health Case Management and Services Fund, referred to in this section as "the fund," is established as a dedicated, nonlapsing Other Special Revenue Funds account in the Department of Health and Human Services. The fund is administered by the commissioner for the purposes of reimbursing hospitals for the costs of screening and data collection conducted by hospitals under Part A, section 6 and to support a pilot program established pursuant to this Part; and be it further

**Sec. B-3. Transfer from General Fund unappropriated surplus; Department of Health and Human Services, Veterans Mental Health Case Management and Services Fund. Resolved:** That, notwithstanding any other provision of law, the State Controller shall transfer \$875,000 from the General Fund unappropriated surplus to the Veterans Mental Health Case Management and Services Fund, Other Special Revenue Funds account established under section 2 within the Department of Health and Human Services no later than June 30, 2017.

**PART C**

**Sec. C-1. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF Veterans Services 0110**

Initiative: Reduces funding previously appropriated in Public Law 2017, chapter 2, Part A.

GENERAL FUND	2016-17	2017-18	2018-19
All Other	(\$375,000)	\$0	\$0
GENERAL FUND TOTAL	(\$375,000)	\$0	\$0

**DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF DEPARTMENT TOTALS**

	2016-17	2017-18	2018-19
GENERAL FUND	(\$375,000)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$375,000)	\$0	\$0

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

**Mental Health Services - Community 0121**

Initiative: Deappropriates \$500,000 from the Mental Health Services - Community account to transfer funds to the Veterans Mental Health Case Management and Services Fund, Other Special Revenue Fund account.

GENERAL FUND	2016-17	2017-18	2018-19
All Other	(\$500,000)	\$0	\$0

GENERAL FUND TOTAL	(\$500,000)	\$0	\$0
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**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)**

DEPARTMENT TOTALS	2016-17	2017-18	2018-19
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GENERAL FUND	(\$500,000)	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	(\$500,000)	\$0	\$0
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**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

**Veterans Mental Health Case Management and Services Fund N269**

Initiative: Provides an allocation to reimburse hospitals for the costs of screening and data collection and to support a pilot program providing mental health case management and services to veterans.

OTHER SPECIAL REVENUE FUNDS	2016-17	2017-18	2018-19
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All Other	\$0	\$875,000	\$0
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$875,000	\$0
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**HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

DEPARTMENT TOTALS	2016-17	2017-18	2018-19
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OTHER SPECIAL REVENUE FUNDS	\$0	\$875,000	\$0
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$875,000	\$0
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SECTION TOTALS	2016-17	2017-18	2018-19
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GENERAL FUND	(\$875,000)	\$0	\$0
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OTHER SPECIAL REVENUE FUNDS	\$0	\$875,000	\$0
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SECTION TOTAL - ALL FUNDS	(\$875,000)	\$875,000	\$0
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**Emergency clause.** In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective August 2, 2017.

**CHAPTER 25**

**H.P. 806 - L.D. 1143**

**Resolve, Providing for the Official Observance of the 200th Anniversary of the Formation of the State of Maine**

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

**Whereas,** the Maine Bicentennial Commission is established to prepare and administer a plan and program for the celebration of the State's bicentennial; and

**Whereas,** the study must be initiated before the 90-day period expires so that the commission may begin its work and submit its first report by December 6, 2017; and

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

**Sec. 1. Commission established. Resolved:** That, notwithstanding Joint Rule 353, the Maine Bi-

centennial Commission, referred to in this resolve as "the commission," is established; and be it further

**Sec. 2. Commission membership. Resolved:** That the commission consists of 22 members as follows:

1. Two members of the Senate, appointed by the President of the Senate;

2. Two members of the House of Representatives, appointed by the Speaker of the House;

3. One member of the public, appointed by the Governor;

4. The Governor, or the Governor's designee;

5. The President of the Senate, or the President's designee;

6. The Speaker of the House, or the Speaker's designee;

7. The Secretary of State, or the Secretary of State's designee;

8. The State Historian, or the State Historian's designee;

9. The Chancellor of the University of Maine System, or the chancellor's designee;

10. The President of the Maine Community College System, or the president's designee;

11. A representative of a statewide business advocacy organization, appointed by the President of the Senate;

12. A representative of a statewide organization to promote tourism of the State, appointed by the President of the Senate;

13. One member representing prekindergarten to adult education and one member representing private postsecondary education, appointed by the President of the Senate;

14. A representative of a statewide museum organization that promotes the State's historical and natural heritage, appointed by the Speaker of the House;

15. A representative of a statewide humanities organization that uses humanities as a tool for positive change in the State's communities, appointed by the Speaker of the House;

16. A representative of a statewide organization that promotes arts and culture in the State, appointed by the Speaker of the House;

17. A representative of a statewide organization that promotes the heritage and history of the State, appointed by the Speaker of the House;

18. A representative of a statewide organization that promotes and enhances the value of state libraries, appointed by the Speaker of the House; and

19. A representative of a statewide organization that promotes historical preservation, appointed by the Speaker of the House; and be it further

**Sec. 3. Appointment terms. Resolved:** That the Legislators appointed to the commission serve terms coincident with their legislative terms and are appointed every 2 years. Legislators may be reappointed to the commission and may continue to serve until their replacements are designated. Other members are appointed for terms that expire December 31, 2020; a vacancy is filled in the same manner as the original appointment; and be it further

**Sec. 4. Appointments; chair; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. When appointment of all members is complete, the Executive Director of the Legislative Council shall call and convene the first meeting of the commission no later than October 16, 2017. The commission shall select a chair from among its legislative members; and be it further

**Sec. 5. Duties. Resolved:** That the commission shall prepare and administer a comprehensive plan and program for the adequate observance and celebration on a statewide basis of the bicentennial anniversary of the formation of the State of Maine, coordinate the programs and activities of all public and private agencies and organizations in the State that are planned for the observation of the anniversary and engage in such other activities as the commission determines necessary and appropriate to carry out the purposes of this resolve; and be it further

**Sec. 6. Staff assistance. Resolved:** That the Maine State Cultural Affairs Council shall provide necessary staffing services to the commission; and be it further

**Sec. 7. Meetings. Resolved:** That the commission may hold up to 5 meetings a year, one of which must be a public hearing. The chair may request authority and the Legislative Council may grant authority for additional meetings; and be it further

**Sec. 8. Report. Resolved:** That, no later than December 6, 2017, November 7, 2018, December 4, 2019 and November 4, 2020, the commission shall submit a progress report that includes its findings and recommendations for presentation to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs; and be it further

**Sec. 9. Funding. Resolved:** That the commission may accept donations and contributions from any source to assist it in carrying out the purposes of this resolve. The commission shall keep a record of contributions received and disbursements made and publish that record on the State's publicly accessible website; and be it further

**Sec. 10. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**CULTURAL AFFAIRS COUNCIL, MAINE STATE**

**State of Maine Bicentennial Celebration N257**

Initiative: Provides an ongoing allocation for outside funds received for the State of Maine bicentennial celebration to be used by the Maine Bicentennial Commission.

OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
All Other	\$500	\$500
OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500

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

Effective August 2, 2017.

**CHAPTER 26  
H.P. 456 - L.D. 642**

**Resolve, To Establish the Task Force To Identify Special Education Cost Drivers and Innovative Approaches to Services**

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

**Whereas,** the Task Force To Identify Special Education Cost Drivers and Innovative Approaches to Services will work to address the rising cost of special education while maintaining high-quality services that accommodate the needs of all children; and

**Whereas,** the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

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

**Sec. 1. Task force established. Resolved:** That, notwithstanding Joint Rule 353, the Task Force To Identify Special Education Cost Drivers and Innovative Approaches to Services, referred to in this resolve as "the task force," is established; and be it further

**Sec. 2. Task force membership. Resolved:** That the task force consists of 13 members appointed as follows:

1. A Senate member of the Joint Standing Committee on Education and Cultural Affairs, appointed by the President of the Senate;
2. A House of Representatives member of the Joint Standing Committee on Education and Cultural Affairs, appointed by the Speaker of the House;
3. A school superintendent representing the Maine School Superintendents Association, appointed by the President of the Senate;
4. A member of a school board representing the Maine School Boards Association, appointed by the Speaker of the House;
5. Two special education directors representing a statewide association of special education directors or teachers, appointed by the President of the Senate. One of the members must be a special education director who serves an urban school administrative unit, and the other member must be a special education director who serves a rural school administrative unit;
6. A principal representing the Maine Principals' Association, appointed by the Speaker of the House;
7. A teacher representing the Maine Education Association, appointed by the President of the Senate;
8. A parent of a student with special needs representing a statewide association of parents of students with special needs, appointed by the Speaker of the House;
9. An advocate for students with special needs, appointed by the President of the Senate;
10. A school finance manager or a school business manager, appointed by the Speaker of the House;
11. A special education student who graduated from a school administrative unit in the State within the last 5 years, appointed by the President of the Senate; and

12. An employee of the Department of Education, appointed by the Commissioner of Education; and be it further

**Sec. 3. Chairs. Resolved:** That the Senate member is the Senate chair and the House of Representatives member is the House chair of the task force; and be it further

**Sec. 4. Appointments; convening of task force. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the task force. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the task force to meet and conduct its business; and be it further

**Sec. 5. Duties; authorized meetings. Resolved:** That the task force shall address the rising cost of special education and the maintenance of high-quality services that accommodate the needs of all children by identifying cost drivers and recommending innovative approaches to serving students. The task force may hold no more than 5 meetings; and be it further

**Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the task force; and be it further

**Sec. 7. Report. Resolved:** That, no later than December 6, 2017, the task force shall submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Joint Standing Committee on Education and Cultural Affairs. The Joint Standing Committee on Education and Cultural Affairs may submit a bill to the Second Regular Session of the 128th Legislature.

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

Effective August 2, 2017.

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## CHAPTER 27

### H.P. 170 - L.D. 214

#### Resolve, To Establish the Commission To Streamline Veterans' Licensing and Certification

**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 resolve establishes the Commission To Streamline Veterans' Licensing and Certification to identify ways to streamline licensing and certification requirements for veterans; and

**Whereas,** the study must be initiated before the 90-day period expires in order that the study may be completed and a report submitted in time for submission to the next legislative session; and

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

**Sec. 1. Commission To Streamline Veterans' Licensing and Certification. Resolved:** That, notwithstanding Joint Rule 353, the Commission To Streamline Veterans' Licensing and Certification, referred to in this resolve as "the commission," is established; and be it further

**Sec. 2. Commission membership. Resolved:** That the commission consists of 13 members appointed as follows:

1. Two members of the Senate appointed by the President of the Senate who are veterans of military service or who are members of either the Joint Standing Committee on Labor, Commerce, Research and Economic Development or the Joint Standing Committee on Veterans and Legal Affairs;

2. Three members of the House of Representatives appointed by the Speaker of the House of Representatives who are veterans of military service or who are members of either the Joint Standing Committee on Labor, Commerce, Research and Economic Development or the Joint Standing Committee on Veterans and Legal Affairs;

3. The Commissioner of Defense, Veterans and Emergency Management or the commissioner's designee;

4. The Commissioner of Professional and Financial Regulation or the commissioner's designee;

5. The Commissioner of Labor or the commissioner's designee;

6. Three members appointed by the President of the Senate with experience in:

A. Membership on a licensing or certification board;

B. Work at an educational institution with programming that results in licensing or certification;

C. Work in the field of human resources; or

D. Prior or current service in the military; and

7. Two members appointed by the Speaker of the House of Representatives with experience in:

A. Membership on a licensing or certification board;

B. Work at an educational institution with programming that results in licensing or certification;

C. Work in the field of human resources; or

D. Prior or current service in the military; and be it further

**Sec. 3. Chairs. Resolved:** That the first appointed Senate member is the Senate chair and the first appointed House of Representatives member is the House chair of the commission; and be it further

**Sec. 4. Appointments; convening of commission. Resolved:** That all appointments must be made no later than 30 days following the effective date of this resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this resolve a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business; and be it further

**Sec. 5. Duties. Resolved:** That the commission shall:

1. Identify workforce needs in the State that could be met by the recruitment of veterans and service members who are transitioning out of the military;

2. Identify similarities and differences between military occupational specialty training and state licensing and certification requirements for those fields of work identified by the commission;

3. Address barriers commonly encountered by transitioning service members and veterans by:

A. Assisting civilian licensing boards in recognizing the military documentation of veterans' training and experience;

B. Developing strategies to prevent duplicative training requirements for attaining relevant licensure or certification; and

C. Streamlining the administrative rules and processes within civilian licensing and certification systems that create barriers for veterans to obtain licensure or certification; and

4. Develop strategies to accelerate veterans' licensure and certification by:

A. Assessing the equivalency of military training courses and using official documentation to permit veterans with fully or partially equivalent training and experience either to sit for civilian licensure examinations or to be licensed by endorsement;

B. Addressing training gaps by working with educational institutions to set up accelerated programs for veterans that bridge training gaps, provide veterans advanced standing in existing programs or offer bridge courses that prepare veterans to enter existing programs;

C. Addressing administrative or process challenges by assessing any non-skill-related licensing or certification requirements that might place veterans at a disadvantage, such as fees or length of experience; and

D. Taking steps to make civilian employment pathways friendlier to veterans through concerted outreach to both veterans and prospective employers; and be it further

**Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide necessary staffing services to the commission; and be it further

**Sec. 7. Report. Resolved:** That, no later than January 15, 2018, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to both the Joint Standing Committee on Labor, Commerce, Research and Economic Development and the Joint Standing Committee on Veterans and Legal Affairs. The Joint Standing Committee on Labor, Commerce, Research and Economic Development and the Joint Standing Committee on Veterans and Legal Affairs may report out a bill to the Second Regular Session of the 128th Legislature based upon the report.

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

Effective August 2, 2017.

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## CHAPTER 28

### S.P. 426 - L.D. 1263

#### Resolve, To Increase the Affordability of Safe Drinking Water for Maine Families

**Sec. 1. Funds for well water treatment. Resolved:** That the Maine State Housing Authority shall distribute funds under section 3 to increase the affordability of water treatment filtration systems for households with contaminated private drinking water wells and household incomes no greater than 120% of

the area median income, as determined by the authority.

For the purposes of this resolve, "contaminated" means that the level of microorganisms, disinfectants, disinfection by-products, inorganic chemicals, organic chemicals or radionuclides exceeds maximum contaminant levels for public water systems established by the National Primary Drinking Water Regulations, 40 Code of Federal Regulations, Part 141. For the purposes of this resolve, "private drinking water well" has the same meaning as in the Maine Revised Statutes, Title 38, section 1392, subsection 8; and be it further

**Sec. 2. Report. Resolved:** That, no later than January 1, 2019, the Maine State Housing Authority shall submit a report to the joint standing committee of the Legislature having jurisdiction over housing and economic development matters describing how many contaminated wells were treated using funds provided pursuant to this resolve to organizations and agencies and the Maine State Housing Authority's home repair program; and be it further

**Sec. 3. Transfer. Resolved:** That the State Controller shall transfer \$500,000 by June 30, 2018 from the Medical Use of Marijuana Fund, Other Special Revenue Funds account in the Department of Health and Human Services to the unappropriated surplus of the General Fund; and be it further

**Sec. 4. Appropriations and allocations. Resolved:** That the following appropriations and allocations are made.

**HOUSING AUTHORITY, MAINE STATE**

**Housing Authority - State 0442**

Initiative: Provides one-time funds for grants or loans to assist households with the purchase and associated costs of well water treatment systems. Up to \$50,000 of the funds may be used for targeted outreach and marketing to connect households with contaminated well water with appropriate professional services for assessing and installing well water treatment systems. Up to 15% of the funds may be used for program administration. Funds may be used to assist individuals who demonstrate need but do not meet the eligibility criteria within the Maine State Housing Authority's home repair program in testing their private well water or in purchasing well water treatment systems.

GENERAL FUND	2017-18	2018-19
All Other	\$500,000	\$0
	<hr/>	<hr/>
GENERAL FUND TOTAL	\$500,000	\$0

See title page for effective date.

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CONSTITUTIONAL RESOLUTIONS OF THE STATE OF MAINE  
AS PASSED AT  
THE FIRST REGULAR SESSION OF THE  
ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE  
2017

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**CHAPTER 1**

**S.P. 240 - L.D. 723**

**RESOLUTION, Proposing an  
Amendment to the  
Constitution of Maine To  
Reduce Volatility in State  
Pension Funding Requirements  
Caused by the Financial  
Markets**

**Constitutional amendment. Resolved:** Two thirds of each branch of the Legislature concurring, that the following amendment to the Constitution of Maine be proposed:

**Constitution, Art. IX, §18-A** is amended to read:

**Section 18-A. Funding of retirement benefits under the Maine Public Employees Retirement System.** Beginning with the fiscal year starting July 1, 1997, the normal cost of all retirement and ancillary benefits provided to participants under the Maine ~~State~~ Public Employees Retirement System must be funded annually on an actuarially sound basis. 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 ~~40~~ 20 years.

; and be it further

**Constitutional referendum procedure; form of question; effective date. Resolved:** That the municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, at a statewide election held in the month of November following the passage of this resolution, to vote upon the ratification of the amendment proposed in this resolution by voting upon the following question:

"Do you favor amending the Constitution of Maine to reduce volatility in state pension funding requirements caused by the financial markets by increasing the length of time over which experience losses are amortized from 10 years to 20 years, in line with pension industry standards?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their

choice by a cross or check mark placed within the corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If it appears that a majority of the legal votes are cast in favor of the amendment, the Governor shall proclaim that fact without delay and the amendment becomes part of the Constitution of Maine on the date of the proclamation; and be it further

**Secretary of State shall prepare ballots. Resolved:** That the Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this resolution necessary to carry out the purposes of this referendum.

Effective pending referendum.

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INITIATED BILLS OF THE STATE OF MAINE  
REFERRED TO THE VOTERS BY  
THE ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE  
AND APPROVED AT REFERENDUM

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**CHAPTER 2**

**I.B. 4 - L.D. 1661**

**An Act To Raise the Minimum  
Wage**

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

**Sec. 1. 26 MRSA §664, sub-§1**, as amended by PL 2007, c. 640, §4, is further amended to read:

**1. Minimum wage.** The minimum hourly wage is ~~\$6.50 per hour. Starting October 1, 2006, the minimum hourly wage is \$6.75 per hour. Starting October 1, 2007, the minimum hourly wage is \$7.00 per hour. Starting October 1, 2008, the minimum hourly wage is \$7.25 per hour. Starting October 1, 2009, the minimum hourly wage is \$7.50 per hour. Starting January 1, 2017, the minimum hourly wage is \$9.00 per hour; starting January 1, 2018, the minimum hourly wage is \$10.00 per hour; starting January 1, 2019, the minimum hourly wage is \$11.00 per hour; and starting January 1, 2020, the minimum hourly wage is \$12.00 per hour. On January 1, 2021 and each January 1st thereafter, the minimum hourly wage then in effect must be increased by the increase, if any, in the cost of living. The increase in the cost of living must be measured by the percentage increase, if any, as of August of the previous year over the level as of August of the year preceding that year in the Consumer Price Index for Urban Wage Earners and Clerical Workers, CPI-W, for the Northeast Region, or its successor index, as published by the United States Department of Labor, Bureau of Labor Statistics or its successor agency, with the amount of the minimum wage increase rounded to the nearest multiple of 5¢. If the highest federal minimum wage is increased in excess of the minimum wage in effect under this section, the minimum wage under this section is increased to the same amount, effective on the same date as the increase in the federal minimum wage, but in no case may the minimum wage exceed the minimum wage otherwise in effect under this section by more than \$1 per hour and must be increased in accordance with this section thereafter.~~

**Sec. 2. 26 MRSA §664, sub-§2**, as amended by PL 2011, c. 118, §3, is further amended to read:

**2. Tip credit.** An employer may consider tips as part of the wages of a service employee, but such a tip credit may not exceed 50% of the minimum hourly wage established in this section. Starting January 1,

2017, the minimum cash wage paid directly to a tipped service employee may not be less than \$5.00 per hour, and the tip credit may not exceed the difference between the minimum cash wage paid directly to a tipped service employee and the minimum hourly wage established under subsection 1. Starting January 1, 2018, and on each January 1st thereafter, the minimum cash wage paid directly to a tipped service employee must be increased by an additional \$1.00 per hour until it reaches the same amount as the annually adjusted minimum hourly wage established under subsection 1, except that if the minimum cash wage paid directly to a tipped service employee is less than \$1.00 less than the annually adjusted minimum hourly wage, it must be increased by that lesser amount. An employer who elects to use the tip credit, until it is eliminated under this subsection, must inform the affected employee in advance and must be able to show that the employee receives at least the minimum hourly wage when direct wages and the tip credit are combined. Upon a satisfactory showing by the employee or the employee's representative that the actual tips received were less than the tip credit, the employer shall increase the direct wages by the difference.

The tips received by a service employee become the property of the employee and may not be shared with the employer. Tips that are automatically included in the customer's bill or that are charged to a credit card must be treated like tips given to the service employee. A tip that is charged to a credit card must be paid by the employer to the employee by the next regular payday and may not be held while the employer is awaiting reimbursement from a credit card company.

Effective January 7, 2017.

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**CHAPTER 3**

**I.B. 2 - L.D. 1557**

**An Act To Establish  
Ranked-choice Voting**

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

**Sec. 1. 21-A MRSA §1, sub-§27-C** is enacted to read:

**27-C. Office elected by ranked-choice voting.** "Office elected by ranked-choice voting" means any of the following offices: United States Senator, United States Representative to Congress, Governor, State

Senator and State Representative, and includes any nominations by primary election to such offices.

**Sec. 2. 21-A MRSA §1, sub-§35-A** is enacted to read:

**35-A. Ranked-choice voting.** "Ranked-choice voting" means the method of casting and tabulating votes in which voters rank candidates in order of preference, tabulation proceeds in sequential rounds in which last-place candidates are defeated and the candidate with the most votes in the final round is elected.

**Sec. 3. 21-A MRSA §601, sub-§2, ¶J** is enacted to read:

J. For offices elected by ranked-choice voting, the ballot must be simple and easy to understand and allow a voter to rank candidates for an office in order of preference. A voter may include no more than one write-in candidate among that voter's ranked choices for each office.

**Sec. 4. 21-A MRSA §722, sub-§1**, as amended by PL 2009, c. 253, §36, is further amended to read:

**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. For offices elected by ranked-choice voting, the Secretary of State shall tabulate the votes according to the ranked-choice voting method described in section 723-A. 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.

**Sec. 5. 21-A MRSA §723-A** is enacted to read:

**§723-A. Determination of winner in election for an office elected by ranked-choice voting**

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

A. "Batch elimination" means the simultaneous defeat of multiple candidates for whom it is mathematically impossible to be elected.

B. "Continuing ballot" means a ballot that is not an exhausted ballot.

C. "Continuing candidate" means a candidate who has not been defeated.

D. "Exhausted ballot" means a ballot that does not rank any continuing candidate, contains an overvote at the highest continuing ranking or contains 2 or more sequential skipped rankings before its highest continuing ranking.

E. "Highest continuing ranking" means the highest ranking on a voter's ballot for a continuing candidate.

F. "Last-place candidate" means the candidate with the fewest votes in a round of the ranked-choice voting tabulation.

G. "Mathematically impossible to be elected," with respect to a candidate, means either:

(1) The candidate cannot be elected because the candidate's vote total in a round of the ranked-choice voting tabulation plus all votes that could possibly be transferred to the candidate in future rounds from candidates with fewer votes or an equal number of votes would not be enough to surpass the candidate with the next-higher vote total in the round;  
or

(2) The candidate has a lower vote total than a candidate described in subparagraph (1).

H. "Overvote" means a circumstance in which a voter has ranked more than one candidate at the same ranking.

I. "Ranking" means the number assigned on a ballot by a voter to a candidate to express the voter's preference for that candidate. Ranking number one is the highest ranking, ranking number 2 is the next-highest ranking and so on.

J. "Round" means an instance of the sequence of voting tabulation steps established in subsection 2.

K. "Skipped ranking" means a circumstance in which a voter has left a ranking blank and ranks a candidate at a subsequent ranking.

**2. Procedures.** Except as provided in subsections 3 and 4, the following procedures are used to determine the winner in an election for an office elected by ranked-choice voting. Tabulation must proceed in rounds. In each round, the number of votes for each continuing candidate must be counted. Each continuing ballot counts as one vote for its highest-ranked continuing candidate for that round. Exhausted ballots are not counted for any continuing candidate. The round then ends with one of the following 2 potential outcomes.

A. If there are 2 or fewer continuing candidates, the candidate with the most votes is declared the winner of the election.

B. If there are more than 2 continuing candidates, the last-place candidate is defeated and a new round begins.

**3. Ties.** A tie under this section between candidates for the most votes in the final round or a tie between last-place candidates in any round must be decided by lot, and the candidate chosen by lot is de-

feated. The result of the tie resolution must be recorded and reused in the event of a recount. Election officials may resolve prospective ties between candidates before the election.

**4. Modification of ranked-choice voting ballot and tabulation.** Modification of a ranked-choice voting ballot and tabulation is permitted in accordance with the following.

A. The number of allowable rankings may be limited to no fewer than 6.

B. Two or more candidates may be defeated simultaneously by batch elimination in any round of tabulation.

**5. Effect on rights of political parties.** For all statutory and constitutional provisions in the State pertaining to the rights of political parties, the number of votes cast for a party's candidate for an office elected by ranked-choice voting is the number of votes credited to that candidate after the initial counting in the first round described in subsection 2.

**6. Application.** This section applies to elections held on or after January 1, 2018.

**Sec. 6. Application.** This Act applies to elections held on or after January 1, 2018.

Effective January 7, 2017.

## CHAPTER 4

### I.B. 3 - L.D. 1660

#### An Act To Establish the Fund To Advance Public Kindergarten to Grade 12 Education

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

**Sec. 1.** 20-A MRS §15697 is enacted to read:

**§15697. Fund to Advance Public Kindergarten to Grade 12 Education**

**1. Fund established.** The Fund to Advance Public Kindergarten to Grade 12 Education, referred to in this section as "the fund," is established as an interest-bearing account administered by the department.

**2. Revenue; 30-day review before changing use of fund.** The Treasurer of State shall deposit all revenue collected pursuant to Title 36, section 5111, subsection 6 from the income tax surcharge to advance public kindergarten to grade 12 education into the fund according to the schedule in Title 36, section 5111, subsection 6. Any private or public funds appropriated, allocated or dedicated to the fund must be depos-

ited 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. Legislation that proposes to enact or amend a law that would change the distribution of the revenue directed to the fund by this subsection or by Title 36, section 5111, subsection 6 must be submitted to the Legislative Council and to the joint standing committee of the Legislature having jurisdiction over education matters at least 30 days prior to any vote or public hearing on that legislation.

**3. Use of fund to supplement and not supplant General Fund appropriations; direct support for student learning.** The use of the fund is controlled by this subsection. The fund may not be used for any purpose other than as described in this subsection.

A. If the General Fund appropriation for the state contribution for general purpose aid for local schools as finally enacted in any year is insufficient to meet the annual target established by section 15752, the commissioner shall use the fund to supplement the state contribution. These supplemental funds must be used to enable the State to meet the annual target established by section 15752 or to decrease the amount by which state funding from all other sources falls short of the target. The commissioner shall announce the increased state contribution amounts made possible by the supplemental amounts obtained from the fund within 14 days after final enactment of the General Fund appropriation for general purpose aid for local schools. The commissioner shall distribute the increased state contribution amounts on the basis of the essential programs and services formula set forth in this chapter.

B. The fund may be used only to pay for portions of the state contribution that constitute direct support for student learning and not for the costs of administration. As used in this paragraph, "direct support for student learning" includes salary and benefit costs paid for public school classroom teachers; special teachers of reading or mathematics; literacy specialists; career technical education teachers; education technicians; associate teachers; assistant teachers; special education technicians I, II or III; guidance staff; health staff; librarians; and media assistants as documented in the department's database. Direct support for student learning does not include salary and benefit costs paid for school administrative staff or clerical staff. By July 1st annually each school administrative unit must file a report to the department detailing how the funding provided by this section was used to provide direct support for student learning in this chapter.

C. The fund may be used for the necessary expenses of the department in the administration of the fund.

**4. Report.** Annually by January 15th, the department shall submit a report to the joint standing committee of the Legislature having jurisdiction over education matters showing the amounts deposited into and disbursed from the fund and detailing how those disbursements increased the state contribution and enabled the State to meet or come closer to meeting the applicable annual targets specified in section 15752. The department shall post the report on its publicly accessible website.

**5. Rule of construction.** This section must be liberally construed to increase the amount of funding available for public kindergarten to grade 12 education above the General Fund appropriation for that year to the greatest extent possible in any year.

**Sec. 2. 36 MRSA §5111, sub-§6** is enacted to read:

**6. Income tax surcharge to advance public kindergarten to grade 12 education.** An income tax surcharge to advance public kindergarten to grade 12 education, referred to in this subsection as "the surcharge," is established and administered as follows.

A. For tax years beginning on or after January 1, 2017, in addition to any other tax imposed by this chapter, a tax at the rate of 3% is imposed on that portion of the taxpayer's Maine taxable income in excess of \$200,000.

B. One hundred percent of the revenue from the surcharge must be deposited each year into the Fund to Advance Public Kindergarten to Grade 12 Education established in Title 20-A, section 15697 in accordance with this paragraph.

(1) Prior to January 1st of each year, the bureau shall estimate the annual revenue to be collected from the surcharge for the immediately following calendar year.

(2) On the first of each month, beginning on January 1, 2018, the Treasurer of State shall deposit 8.333% of the estimated annual total revenue from the surcharge into the Fund to Advance Public Kindergarten to Grade 12 Education.

(3) The bureau may adjust the monthly transfer amount once annually to account for any difference between the estimated collection and actual collection.

C. The surcharge must be imposed and collected regardless of whether the income tax brackets in this section are changed, replaced or eliminated by an act of the Legislature or by a measure approved by voters pursuant to the Constitution of Maine, Article IV, Part Third, Section 18.

Effective January 10, 2017.

## CHAPTER 5

### I.B. 6 - L.D. 1701

#### An Act To Legalize Marijuana

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

**Sec. 1. 7 MRSA c. 417** is enacted to read:

#### CHAPTER 417

#### MARIJUANA LEGALIZATION ACT

##### §2441. Short title

This chapter may be known and cited as "the Marijuana Legalization Act."

##### §2442. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

**1. Advertising.** "Advertising" means the act of providing consideration for the publication, dissemination, solicitation or circulation, visual, oral or written, to induce directly or indirectly any person to patronize a particular retail marijuana establishment or retail marijuana social club or to purchase particular retail marijuana or a retail marijuana product. "Advertising" includes marketing, but does not include packaging and labeling. "Advertising" proposes a commercial transaction or otherwise constitutes commercial speech.

**2. Applicant.** "Applicant" means a person that has submitted an application for licensure as a retail marijuana establishment or retail marijuana social club pursuant to this chapter that was accepted by the state licensing authority for review but has not been approved or denied by the state licensing authority.

**3. Batch.** "Batch" means a specific quantity of cannabis harvested during a specified time period from a specified cultivation area.

**4. Batch number.** "Batch number" means any distinct group of numbers, letters or symbols, or any combination thereof, assigned by a retail marijuana cultivation facility or retail marijuana products manufacturing facility to a specific harvest batch or production batch of retail marijuana.

**5. Cannabis.** "Cannabis" means all parts of the plant of the genus Cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or its resin including cannabis concentrate. "Cannabis" does not include industrial hemp, fiber produced from the stalks, oil, cake made from the seeds of the plant, sterilized seed of the plant that is incapable of germination or any ingredient combined with cannabis to

prepare topical or oral administrations, food, drink or any other product. "Cannabis" also means marijuana.

**6. Child-resistant.** "Child-resistant" means special packaging that is:

A. Designed or constructed to be significantly difficult for children under 5 years of age to open and not difficult for normal adults to use properly;

B. Opaque so that the product cannot be seen from outside the packaging; and

C. Closable, for any product intended for more than a single use or containing multiple servings.

**7. Commissioner.** "Commissioner" means the Commissioner of Agriculture, Conservation and Forestry.

**8. Container.** "Container" means the sealed package in which retail marijuana or a retail marijuana product is placed for sale to a consumer and that has been labeled according to the requirements set forth in section 2446, subsection 1.

**9. Department.** "Department" means the Department of Agriculture, Conservation and Forestry.

**10. Edible retail marijuana product.** "Edible retail marijuana product" means any retail marijuana product that is intended to be consumed orally, including, but not limited to, any type of food, drink or pill.

**11. Final agency order.** "Final agency order" means an order of the state licensing authority issued in accordance with this chapter and the Maine Administrative Procedure Act following review of the initial decision and any exceptions filed thereto or at the conclusion of the declaratory order process.

**12. Flowering marijuana plant.** "Flowering marijuana plant" means the gametophytic or reproductive state of cannabis in which the plant is in a light cycle intended to produce flowers, trichomes and cannabinoids characteristic of marijuana.

**13. Good cause.** "Good cause," for purposes of denial of an initial license application or denial of a renewal or reinstatement of a license application, means:

A. The licensee or applicant has violated, does not meet or has failed to comply with any of the terms, conditions or provisions of this chapter, any rules adopted pursuant to it or any supplemental relevant state or local law, rule or regulation; or

B. The licensee or applicant has failed to comply with any special terms, consent decree or conditions that were placed upon the license pursuant to an order of the state licensing authority or the relevant municipality.

**14. Harvest batch.** "Harvest batch" means a batch of processed retail marijuana that is uniform in strain, cultivated using the same herbicides, pesticides and fungicides and harvested at the same time.

**15. Identity statement.** "Identity statement" means the name of the business as it is commonly known and used in any advertising.

**16. Immature plant.** "Immature plant" means a nonflowering retail marijuana plant that is taller than 24 inches and is wider than 18 inches.

**17. Initial decision.** "Initial decision" means a decision of a hearing officer in the department following a licensing, disciplinary or other administrative hearing.

**18. Law enforcement agency.** "Law enforcement agency" means any federal, state or municipal agency or any governmental agency or subunit of such agency or any state or federal court that administers criminal justice pursuant to a statute or executive order and that allocates a substantial part of its annual budget to the administration of criminal justice.

**19. Licensed premises.** "Licensed premises" means the premises specified in an application for a license pursuant to this chapter that are owned or in possession of the licensee and within which the licensee is authorized to cultivate, manufacture, distribute, sell, consume or test retail marijuana in accordance with the provisions of this chapter and rules adopted pursuant to this chapter.

**20. Licensee.** "Licensee" means a person licensed pursuant to this chapter or, in the case of a holder of an occupational license, a natural person licensed pursuant to this chapter.

**21. Limited access area.** "Limited access area" means a building, room or other contiguous area upon the licensed premises where retail marijuana is grown, cultivated, stored, weighed, packaged, sold or processed for sale under control of the licensee.

**22. Marijuana.** "Marijuana" means cannabis.

**23. Marijuana extraction.** "Marijuana extraction" means the process of extracting marijuana with solvents or gases.

**24. Mother plant.** "Mother plant" means a plant that is used solely by a cultivator for the taking of seedling cuttings.

**25. Natural person.** "Natural person" means a citizen of this State who has a verifiable social security number.

**26. Occupational license.** "Occupational license" means a license granted to a natural person by the state licensing authority.

**27. Owner.** "Owner" means a person whose beneficial interest in a retail marijuana establishment

or retail marijuana social club is such that the person bears risk of loss other than as an insurer, has an opportunity to gain profit from the operation or sale of a retail marijuana establishment or retail marijuana social club and has a controlling interest in a retail marijuana establishment or retail marijuana social club.

**28. Person.** "Person" means a natural person, partnership, association, company, corporation, limited liability company or organization or a manager, agent, owner, director, servant, officer or employee thereof. "Person" does not include any governmental organization.

**29. Plant canopy.** "Plant canopy" means the area upon the licensed premises dedicated to live plant cultivation, such as maintaining mother plants, propagating plants from seed to plant tissue, cloning and maintaining a vegetative or flowering area. "Plant canopy" does not include areas such as space for storage of fertilizers, pesticides or other products, quarantine areas, office space, walkways, work areas and other similar areas.

**30. Production batch.** "Production batch" means a group of retail marijuana products created from a production run of retail marijuana products.

**31. Propagation.** "Propagation" means the reproduction of retail marijuana plants by seeds, cuttings or grafting.

**32. Registered dispensary.** "Registered dispensary" means a dispensary that is a nonprofit corporation organized under Title 13-B and registered with the Department of Health and Human Services pursuant to the Maine Medical Use of Marijuana Act and holds one or more dispensary registrations.

**33. Restricted access area.** "Restricted access area" means a designated and secure area within the licensed premises in a retail marijuana store or retail marijuana social club where retail marijuana and retail marijuana products are sold, possessed for sale and displayed for sale and where no one under 21 years of age is permitted.

**34. Retail marijuana.** "Retail marijuana" means cannabis that is cultivated, manufactured, distributed or sold by a licensed retail marijuana establishment or retail marijuana social club.

**35. Retail marijuana cultivation facility.** "Retail marijuana cultivation facility" means an entity licensed to cultivate, prepare and package retail marijuana and sell retail marijuana to retail marijuana establishments and retail marijuana social clubs.

**36. Retail marijuana establishment.** "Retail marijuana establishment" means a retail marijuana store, a retail marijuana cultivation facility, a retail marijuana products manufacturing facility or a retail marijuana testing facility.

**37. Retail marijuana product.** "Retail marijuana product" means concentrated retail marijuana and retail marijuana products that are composed of retail marijuana and other ingredients and are intended for use or consumption, including, but not limited to, edible products, ointments and tinctures.

**38. Retail marijuana products manufacturing facility.** "Retail marijuana products manufacturing facility" means an entity licensed to purchase retail marijuana; manufacture, prepare and package retail marijuana products; and sell retail marijuana and retail marijuana products only to other retail marijuana products manufacturing facilities, retail marijuana stores and retail marijuana social clubs.

**39. Retail marijuana social club.** "Retail marijuana social club" means an entity licensed to sell retail marijuana and retail marijuana products to consumers for consumption on the licensed premises.

**40. Retail marijuana store.** "Retail marijuana store" means an entity licensed to purchase retail marijuana from a retail marijuana cultivation facility and to purchase retail marijuana products from a retail marijuana products manufacturing facility and to sell retail marijuana and retail marijuana products to consumers.

**41. Retail marijuana testing facility.** "Retail marijuana testing facility" means an entity licensed and certified to analyze and certify the safety and potency of retail marijuana and retail marijuana products.

**42. Sample.** "Sample" means any retail marijuana or retail marijuana product provided for testing or research purposes to a retail marijuana testing facility by a retail marijuana establishment or retail marijuana social club.

**43. Seedling.** "Seedling" means a nonflowering retail marijuana plant that is no taller than 24 inches and no wider than 18 inches.

**44. State licensing authority.** "State licensing authority" means the authority created for the purpose of regulating and controlling the licensing of the cultivation, manufacture, distribution, testing and sale of retail marijuana and retail marijuana products in this State pursuant to this chapter.

**45. THC.** "THC" means tetrahydrocannabinol.

**46. Universal symbol.** "Universal symbol" means the image established by the state licensing authority and made available to licensees through the state licensing authority's website for indicating that retail marijuana or a retail marijuana product is within a container.

**47. Unreasonably impracticable.** "Unreasonably impracticable" means that the measures necessary to comply with the rules require such a high investment of risk, money, time or any other resource or asset that the operation of a retail marijuana establish-

ment or retail marijuana social club is not worth being carried out in practice by a reasonably prudent business person.

**§2443. Exemption from criminal and civil penalties, seizure and forfeiture**

Notwithstanding Title 17-A, chapter 45 or any other provision of law to the contrary and except as provided in this chapter, the actions specified in this chapter are legal under the laws of this State and do not constitute a civil or criminal offense under the laws of this State or the law of any political subdivision within this State or serve as a basis for seizure or forfeiture of assets under state law. This chapter may not be construed to shield any individual, partnership, corporation, firm, association or other legal entity from federal prosecution.

**§2444. State licensing authority**

For the purpose of regulating and controlling the licensing of the cultivation, manufacture, distribution, testing and sale of retail marijuana and retail marijuana products in this State, the state licensing authority is the Department of Agriculture, Conservation and Forestry.

**1. Commissioner is chief administrative officer.** The Commissioner of Agriculture, Conservation and Forestry is the chief administrative officer of the state licensing authority and may employ such officers and employees as may be determined to be necessary. The state licensing authority has the authority to:

A. Grant or refuse licenses for the cultivation, manufacture, distribution, sale and testing of retail marijuana and retail marijuana products as provided by this chapter;

B. Suspend, fine, restrict or revoke licenses under paragraph A upon a violation of this chapter or any rule adopted pursuant to this chapter; and

C. Impose any penalty authorized by this chapter or any rule adopted pursuant to this chapter.

**2. Adoption of rules.** The state licensing authority shall adopt rules for the proper regulation and control of the cultivation, manufacture, distribution, sale and testing of retail marijuana and retail marijuana products and for the enforcement of this chapter, not later than 9 months after the effective date of this Act, and shall adopt amended rules and such special rules and make findings as necessary. These rules are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A. Rules must address but are not limited to the following issues:

A. The hearing of contested state license denials at a public hearing, employing full due process, including the subpoena power, the taking of oaths, the calling of witnesses and the maintaining of the confidentiality of customer records. Provision

must be made for the conduct of appeal hearings following license actions, including, but not limited to, the denial of a license renewal or of an initial license and license revocation and suspension, and hearings contesting the imposition of a fine;

B. The development of such forms, licenses, identification cards and applications as necessary for the administration of this chapter or of any of the rules adopted under this chapter;

C. The preparation and transmission annually, in the form and manner prescribed by this chapter, of a report to the Legislature accounting for the efficient discharge of all responsibilities assigned by law or rules to the state licensing authority;

D. Procedures consistent with this chapter for the issuance, renewal, suspension and revocation of licenses to operate retail marijuana establishments;

E. Limits on the concentration of THC and other cannabinoids per serving in any retail marijuana product;

F. Qualifications for licensure including, but not limited to, the requirement for a fingerprint-based criminal history record check for all owners, officers, managers, employees and other support staff of entities licensed pursuant to this chapter;

G. Security requirements for any licensed premises under this chapter including, at a minimum, lighting, physical security, alarm requirements and other minimum procedures for internal control as determined necessary by the state licensing authority to properly administer and enforce the provisions of this chapter, including reporting requirements for changes, alterations or modifications to the licensed premises. Security requirements may not be unreasonably impracticable; and

H. Securing and recording permission for a local fire department or the State Fire Marshal to conduct an annual fire inspection of a retail marijuana cultivation facility.

**§2445. Independent testing and certification program**

The state licensing authority shall establish, within a specific time frame, a retail marijuana and retail marijuana products independent testing and certification program. This program must require licensees to test retail marijuana and retail marijuana products to ensure at a minimum that products sold for human consumption do not contain contaminants that are injurious to health and to ensure correct labeling.

**1. Content of testing.** Testing must include, but is not limited to, analysis for residual solvents, poisons and toxins; harmful chemicals; dangerous molds and

mildew; harmful microbes, such as Escherichia coli and salmonella; and pesticides.

**2. Presence of injurious substance.** In the event that test results indicate the presence of quantities of any substance determined to be injurious to health in any product, these products must be immediately quarantined and immediate notification to the persons responsible for enforcing the marijuana laws must be made. These products must be documented and properly destroyed.

**3. THC potency.** Testing must verify THC potency representations for correct labeling.

The establishment of an independent testing and certification program does not affect the adoption of rules in section 2444 or affect the implementation of cultivation, production and sale of retail marijuana and retail marijuana products.

**§2446. Labeling; health and safety requirements; training; identification cards**

**1. Labeling requirements for sales of retail marijuana and retail marijuana products.** Labeling requirements for sales of retail marijuana and retail marijuana products include when applicable:

A. The license number of the retail marijuana cultivation facility license;

B. The license number of the retail marijuana store license;

C. An identity statement and a universal symbol;

D. The batch number;

E. A net weight statement;

F. THC potency and the potency of such other cannabinoids or other chemicals, including, but not limited to, cannabidiol, as determined relevant by the state licensing authority;

G. Warning labels;

H. Solvents used in marijuana extraction;

I. Amount of THC per serving and the number of servings per package for retail marijuana products;

J. A list of ingredients and possible allergens for retail marijuana products;

K. A recommended use date or expiration date for retail marijuana products; and

L. A nutritional fact panel for edible retail marijuana products.

**2. Health and safety rules.** The state licensing authority shall adopt health and safety rules, which are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A, and standards for the manufac-

ture of retail marijuana products and the cultivation of retail marijuana, which must include:

A. Limitations on the display of retail marijuana and retail marijuana products;

B. Regulation of the storage of, warehouses for and transportation of retail marijuana and retail marijuana products; and

C. Sanitary requirements for retail marijuana establishments, including but not limited to sanitary requirements for the preparation of retail marijuana products.

**3. Training for local jurisdictions and law enforcement officers.** The state licensing authority shall adopt rules, which are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A, and processes for training local jurisdictions and law enforcement officers in the law, including the requirements for inspections, investigations, searches, seizures, forfeitures and such additional activities as may become necessary from time to time.

**4. Identification cards.** The following provisions govern identification cards.

A. The state licensing authority shall adopt rules detailing the format of, and inclusion of information on, individual identification cards for owners, officers, managers, contractors, employees and other support staff of entities licensed pursuant to this chapter, including a fingerprint-based criminal history record check as may be required by the state licensing authority prior to issuing an identification card.

B. The state licensing authority shall specify those forms of photo identification that a retail marijuana store may accept when verifying a sale, including but not limited to government-issued identification cards.

C. The state licensing authority shall develop procedures for license renewals, reinstatements, initial licenses and the payment of licensing fees, as well as other matters that are necessary for the fair, impartial and comprehensive administration of this chapter.

D. Rules adopted pursuant to this subsection are routine technical rules, pursuant to Title 5, chapter 375, subchapter 2-A.

**§2447. License application and issuance**

An application for a license under the provisions of this chapter must be made to the state licensing authority on forms prepared and furnished by the state licensing authority and must set forth such information as the state licensing authority may require to enable the state licensing authority to determine whether a license should be granted. The information must include the name and address of the applicant and the

names and addresses of the applicant's officers, directors or managers. Each application must be verified by the oath or affirmation of such person or persons as the state licensing authority may prescribe. The state licensing authority may issue a license to an applicant pursuant to this section upon completion of the applicable criminal history record check associated with the application. The license is conditioned upon municipal approval. An applicant is prohibited from operating a retail marijuana establishment or retail marijuana social club without state licensing authority and municipal approval. If the applicant does not receive municipal approval within one year from the date of state licensing authority approval, the license expires and may not be renewed. If an application is not approved by the municipality, the state licensing authority shall revoke the license.

**1. Qualifications.** The following provisions govern the qualifications for licensure as a retail marijuana establishment or retail marijuana social club. A person is not qualified to conduct licensed activities until the required annual fee has been paid.

A. An applicant who is a natural person must be at least 21 years of age. If an applicant is a corporation, all members of the board must comply with this paragraph.

B. A person who has been convicted of a disqualifying drug offense may not be a licensee. For purposes of this paragraph, "disqualifying drug offense" means a conviction for a violation of a state or federal controlled substance law that is a crime punishable by imprisonment for 5 years or more. "Disqualifying drug offense" does not include an offense for which the sentence, including any term of probation, incarceration or supervised release, was completed 10 or more years prior to application for licensure or an offense that consisted of conduct that is permitted under this chapter.

C. A person who has had a license for a retail marijuana establishment or retail marijuana social club revoked may not be a licensee.

D. A sheriff, deputy sheriff, police officer, prosecuting officer or an officer or employee of the state licensing authority or a municipality is ineligible to become a licensee.

E. The state licensing authority shall investigate all applicants for compliance with this chapter prior to issuing a license.

F. First priority for licensure must be given to registered caregivers who have been continuously registered with the Department of Health and Human Services pursuant to the Maine Medical Use of Marijuana Act or who have experience serving as a principal officer or board member of a nonprofit medical dispensary registered with the

Department of Health and Human Services pursuant to the Maine Medical Use of Marijuana Act. If an applicant, either a business entity or an individual, owns, has a financial interest in or controls the management of more than one dispensary in this State, that applicant may receive preference for only one license in each license class. As long as there are other preferred applicants for any or all license classes an applicant who owns, has a financial interest in or controls the management of more than one dispensary in this State is not eligible for multiple licenses in any class. Preference must be given to an applicant who has at least 3 medical marijuana caregiver registrations when determining which applicants receive licenses.

G. The state licensing authority shall accept applications from registered caregivers and principal officers or board members of registered dispensaries who have continuously registered with the Department of Health and Human Services pursuant to the Maine Medical Use of Marijuana Act.

H. The state licensing authority shall adopt rules, which are major substantive rules pursuant to Title 5, chapter 375, subchapter 2-A, for a streamlined application process for registered caregivers and principal officers or board members of dispensaries registered with the Department of Health and Human Services pursuant to the Maine Medical Use of Marijuana Act, which must include an initial site inspection confirming compliance with this chapter.

**2. Investigation of qualifications.** In investigating the qualifications of an applicant or a licensee, the state licensing authority and municipality may have access to criminal history record information furnished by a law enforcement agency subject to any restrictions imposed by that agency. In the event the state licensing authority or municipality considers the applicant's criminal history record, the state licensing authority or municipality shall also consider any information provided by the applicant regarding such criminal history record, including, but not limited to, evidence of rehabilitation, character references and educational achievements, especially those items pertaining to the time between the applicant's last criminal conviction and the consideration of the application for a license.

At the time of filing an application for issuance of a retail marijuana establishment or retail marijuana social club license, an applicant shall submit a set of the applicant's fingerprints and personal history information concerning the applicant's qualifications for a license on forms prepared by the state licensing authority. The state licensing authority shall submit the fingerprints and the municipality may forward fingerprints to the State Bureau of Investigation for criminal history background information. The state licensing

authority shall also forward the fingerprints to the Federal Bureau of Investigation for the purpose of conducting a federal fingerprint-based criminal history record check. The state licensing authority may acquire a name-based criminal history record check for an applicant or a licensee who has twice submitted to a fingerprint-based criminal history record check and whose fingerprints are unclassifiable. An applicant who has previously submitted fingerprints for state licensing purposes may request that the fingerprints on file be used. The state licensing authority shall use the information resulting from the fingerprint-based criminal history record check to investigate and determine whether an applicant is qualified to hold a license pursuant to this chapter. The state licensing authority or municipality may verify any of the information an applicant is required to submit.

**3. Applications; issuance.** The following provisions govern applications for and issuance of a retail marijuana establishment or retail marijuana social club license.

A. An applicant shall file an application in the form required by the state licensing authority for the type of license sought, along with the application fee as set by the state licensing authority.

B. An applicant may apply for and be granted more than one type of license except that a person licensed as a retail marijuana testing facility may not hold any other retail marijuana establishment license. Registered caregivers and registered dispensaries who have held a registration in good standing for 2 years by the date of the application must be given priority in the granting of licenses for a retail marijuana cultivation facility, retail marijuana products manufacturing facility or retail marijuana store license. The state licensing authority shall begin accepting and processing applications by 30 days after the adoption of rules under section 2444, subsection 2. If after 90 days those applications do not meet the maximum square footage allotment set by this chapter, the state licensing authority may begin accepting and processing applications by all other qualified applicants.

C. The state licensing authority shall issue or renew a license to operate a retail marijuana establishment or retail marijuana social club to an applicant who meets the requirements of the state licensing authority, which must include a review of the site plan, operating plan and relevant experience in the marijuana industry in this State, as set forth in rule, within 90 days of the date of receipt of the application unless:

(1) The state licensing authority finds the applicant is not in compliance with this section or rules adopted by the state licensing authority;

(2) The state licensing authority is notified by the relevant municipality that the applicant is not in compliance with an ordinance, rule or regulation in effect at the time of application; or

(3) The number of retail marijuana establishments or retail marijuana social clubs allowed in the municipality has been limited pursuant to local ordinance or is limited by subsection 7 and the state licensing authority has already licensed the maximum number of retail marijuana establishments or retail marijuana social clubs allowed in the municipality for the class of license that is sought.

D. The following provisions govern the situation when more than one application is received by the state licensing authority for establishment of a retail marijuana establishment or retail marijuana social club in the same municipality.

(1) If a greater number of applications are received from qualified applicants to operate a retail marijuana store in a municipality than are allowed under the limits enacted by that municipality pursuant to subsection 4, the state licensing authority shall solicit and consider input from the municipality as to the municipality's preferences for licensure. Within 180 days of the date the first application is received, the state licensing authority shall issue the maximum number of applicable licenses.

(2) In any competitive application process to determine which applicants receive licenses for any class of license, the state licensing authority shall give first preference to an applicant who has at least 2 years of previous experience cultivating marijuana in compliance with Title 22, section 2423 and who has been continuously registered with the Department of Health and Human Services pursuant to the Maine Medical Use of Marijuana Act. Preference must be given to an applicant who has 3 medical marijuana caregiver registrations when determining which applicants receive licenses.

E. The state licensing authority may not grant a license for a retail marijuana establishment to a licensee who has already received a license to operate the same type of retail marijuana establishment if doing so would prevent another qualified applicant from receiving a license. The state licensing authority may not grant a license for a retail marijuana social club to a licensee who has already received a license to operate a retail marijuana social club if doing so would prevent another qualified applicant from receiving a license.

**4. Limitation on number of retail marijuana stores.** The state licensing authority may not limit the total number of retail marijuana stores in this State. A municipality may regulate the number of retail marijuana stores and the location and operation of retail marijuana establishments and retail marijuana social clubs and may prohibit the operation of retail marijuana establishments and retail marijuana social clubs within its jurisdiction.

**5. Limitations on retail marijuana cultivation.** The state licensing authority may establish limitations upon retail marijuana cultivation through one or more of the following methods:

A. Placing or modifying a limit on the number of licenses that it issues, by class or overall, but in placing or modifying the limits, the state licensing authority shall consider the reasonable availability of new licenses after a limit is placed or modified; and

B. Placing or modifying a limit on the amount of production permitted by a retail marijuana cultivation facility license or class of licenses based upon some reasonable metric or set of metrics, including, but not limited to, previous months' sales, pending sales or other reasonable metric as determined by the state licensing authority.

**6. Limitation on retail marijuana cultivation facility size.** The amount of space approved for marijuana cultivation at retail marijuana cultivation facilities is limited to 800,000 square feet of plant canopy, unless the state licensing authority determines that a greater amount may be needed to ensure an adequate supply to meet demand for various strains of marijuana throughout the State. An applicant must designate on the applicant's operating plan the size category of the licensed premises and the amount of actual square footage in the applicant's licensed premises that will be designated as plant canopy.

The state licensing authority shall license 2 types of retail marijuana cultivation facilities, those with 3,000 square feet or less of plant canopy and those with more than 3,000 square feet of plant canopy. The state licensing authority shall license marijuana cultivation at retail marijuana cultivation facilities by unit blocks of 10 feet by 10 feet, or 100 square feet, of plant canopy, with 40% of all licenses issued going to licensees of 30 unit blocks or less. The maximum amount of unit blocks allowed to a single licensee is 300.

An applicant who applies for a retail marijuana cultivation facility license for a facility with more than 3,000 square feet of plant canopy but is not licensed by the state licensing authority may be considered for a license for a facility with 3,000 square feet or less of plant canopy.

No more than 6 retail marijuana cultivation facilities or more than 300 unit blocks of plant canopy may be located on the same parcel of property.

The state licensing authority may reduce the number of unit blocks a retail marijuana cultivation facility is authorized to cultivate if 50% or fewer of the unit blocks a facility is authorized to cultivate are not used by the end of the first year of operation.

**7. Restrictions on applications for licenses.** The state licensing authority may not approve an application for the issuance of a license pursuant to this chapter:

A. If the application for the license concerns a location that is the same as or within 1,000 feet of a location for which, within the 2 years immediately preceding the date of the application, the state licensing authority denied an application for the same class of license due to the nature of the use or other concern related to the location; or

B. Until it is established that the applicant is in or will be entitled to possession of the licensed premises for which application is made under a lease, rental agreement or other arrangement for possession of the premises or by virtue of ownership of the premises.

#### **§2448. Classes of licenses; license provisions**

**1. State licensing authority may issue license.** For the purpose of regulating the cultivation, manufacture, distribution, sale and testing of retail marijuana and retail marijuana products, the state licensing authority, in its discretion, upon receipt of an application in the prescribed form, may issue and grant to the applicant a license from one or more of the following classes, subject to the provisions and restrictions provided by this chapter:

A. Retail marijuana store license;

B. Retail marijuana cultivation facility license;

C. Retail marijuana products manufacturing facility license;

D. Retail marijuana testing facility license;

E. Retail marijuana social club license; and

F. Occupational licenses and registrations for owners, managers, operators, employees, contractors and other support staff employed at, working in or having access to restricted access areas of the licensed premises, as determined by the state licensing authority.

**2. Licensee to collect tax.** A retail marijuana store licensee or retail marijuana social club licensee shall collect sales tax on all retail sales made at a retail marijuana store or retail marijuana social club, respectively.

**3. Retail marijuana store license.** The following provisions govern a retail marijuana store.

A. A licensed retail marijuana store may sell only retail marijuana, retail marijuana products, marijuana accessories, nonconsumable products such as apparel and marijuana-related products such as child-resistant containers, but is prohibited from selling or giving away any consumable product, including but not limited to cigarettes, alcohol and edible products that do not contain marijuana, including but not limited to sodas, candies and baked goods. Automatic dispensing machines that contain retail marijuana and retail marijuana products are prohibited.

B. A retail marijuana store licensee shall track all of its retail marijuana and retail marijuana products from the point at which they are transferred from a retail marijuana cultivation facility or retail marijuana products manufacturing facility to the point of sale.

All retail marijuana and retail marijuana products sold at a licensed retail marijuana store must be packaged and labeled as required by rules of the state licensing authority and pursuant to section 2446, subsection 1. Notwithstanding the provisions of this section, a retail marijuana store licensee may also sell retail marijuana products that are prepackaged and labeled as required by rules of the state licensing authority and pursuant to section 2446, subsection 1.

C. A person must be 21 years of age or older to make a purchase in a retail marijuana store.

(1) Prior to initiating a sale, the employee of the retail marijuana store making the sale shall verify that the purchaser has a valid government-issued identification card, or other acceptable identification, showing that the purchaser is 21 years of age or older. If a person under 21 years of age presents a fraudulent proof of age, any action relying on the fraudulent proof of age may not be grounds for the revocation or suspension of any license issued under this chapter.

(2) The state licensing authority shall adopt rules, which are routine technical rules as described in Title 5, chapter 375, subchapter 2-A, to prohibit certain signs, marketing and advertising, including but not limited to a prohibition on mass-market campaigns that have a high likelihood of reaching persons under 21 years of age.

These rules may include:

(a) A prohibition on health or physical benefit claims in advertising, merchandising and packaging;

(b) A prohibition on unsolicited advertising on the Internet;

(c) A prohibition on opt-in marketing that does not permit an easy and permanent opt-out feature; and

(d) A prohibition on marketing directed toward location-based devices, including but not limited to cellular phones, unless the marketing is a mobile device application installed on the device by the owner of the device who is 21 years of age or older and includes a permanent and easy opt-out feature.

(3) A magazine whose primary focus is marijuana or marijuana businesses may be sold only in a retail marijuana store or behind the counter in an establishment where persons under 21 years of age are present.

(4) A retail marijuana product may not contain an additive designed to make the product more appealing to children.

(5) Notwithstanding any other provision of state law, sales of retail marijuana and retail marijuana products are not exempt from state sales tax.

(6) Nothing in this chapter may be construed to limit a law enforcement agency's ability to investigate unlawful activity in relation to a retail marijuana establishment or retail marijuana social club. A law enforcement agency may run a Maine criminal history record check of a licensee, or employee of a licensee, during an investigation of unlawful activity related to retail marijuana and retail marijuana products.

D. Retail marijuana and retail marijuana products may be transported between a licensed retail marijuana store and retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities, retail marijuana social clubs and retail marijuana testing facilities.

**4. Retail marijuana cultivation facility license.** The state licensing authority shall create a statewide licensure class system for retail marijuana cultivation facilities.

A. The following provisions govern retail marijuana cultivation facilities.

(1) A retail marijuana cultivation facility licensee is permitted to cultivate retail marijuana for sale and distribution only to licensed retail marijuana stores, retail marijuana products manufacturing facilities, other retail marijuana cultivation facilities or retail marijuana social clubs.

(2) A retail marijuana cultivation facility may have a retail marijuana store if it is located on the same licensed premises as the retail marijuana cultivation facility. If the retail marijuana cultivation facility chooses the option to have a retail marijuana store it must meet all requirements set by the state licensing authority and municipality in which it is located. A retail marijuana store located on the licensed premises of a retail marijuana cultivation facility does not count against any municipal limits on the number of retail marijuana stores.

(3) A retail marijuana cultivation facility shall track the marijuana it cultivates from seed or immature plant to wholesale purchase. The state licensing authority may not make rules that are unreasonably impracticable concerning the tracking of marijuana from seed or immature plant to wholesale purchase.

(4) A retail marijuana cultivation facility may provide, except as required by subsection 6, a sample of its products to a retail marijuana testing facility for testing and research purposes. A retail marijuana cultivation facility shall maintain a record of what was provided to the retail marijuana testing facility, the identity of the retail marijuana testing facility and the testing results.

B. Retail marijuana may be transported between a licensed retail marijuana cultivation facility and retail marijuana stores, other retail marijuana cultivation facilities, retail marijuana products manufacturing facilities, retail marijuana social clubs and retail marijuana testing facilities.

**5. Retail marijuana products manufacturing facility license.** The following provisions govern retail marijuana products manufacturing facilities and the preparation of retail marijuana products.

A. The following provisions govern retail marijuana products manufacturing facilities.

(1) A retail marijuana products manufacturing facility licensee is permitted to manufacture retail marijuana products pursuant to the terms and conditions of this chapter.

(2) A retail marijuana products manufacturing facility may cultivate its own retail marijuana if it obtains a retail marijuana cultivation facility license, or it may purchase retail marijuana from a licensed retail marijuana cultivation facility. A retail marijuana products manufacturing facility licensee shall track all of its retail marijuana from the point it is either transferred from its retail marijuana cultivation facility or the point when it

is delivered to the retail marijuana products manufacturing facility from a licensed retail marijuana cultivation facility to the point of transfer to a licensed retail marijuana store, retail marijuana social club or retail marijuana testing facility.

B. A retail marijuana products manufacturing facility licensee may not:

(1) Add any marijuana to a food product if the manufacturer of the food product holds a trademark to the food product's name, except that a retail marijuana products manufacturing facility licensee may use a trademarked food product if the licensee uses the product as a component or as part of a recipe and if the licensee does not state or advertise to the consumer that the final retail marijuana product contains a trademarked food product;

(2) Intentionally or knowingly label or package a retail marijuana product in a manner that would cause a reasonable consumer confusion as to whether the retail marijuana product was a trademarked food product;

(3) Label or package a product in a manner that violates any federal trademark law or regulation; or

(4) Include harmful additives in any retail marijuana product, including, but not limited to, those that are toxic, designed to make the product more addictive and designed to make the product more appealing to children or misleading to consumers, but not including common baking and cooking items.

C. The following provisions govern the preparation of retail marijuana products.

(1) Retail marijuana products must be prepared on licensed premises that are used exclusively for the manufacture and preparation of retail marijuana or retail marijuana products and prepared using equipment that is used exclusively for the manufacture and preparation of retail marijuana and retail marijuana products.

(2) All licensed premises in which retail marijuana products are manufactured must meet the sanitary standards for retail marijuana product preparation adopted pursuant to section 2446, subsection 2 and must be licensed as commercial kitchens by the Department of Health and Human Services.

(3) Retail marijuana products must be packaged, sealed and conspicuously labeled in compliance with this chapter and any rules adopted pursuant to this chapter.

(4) A retail marijuana products manufacturing facility licensee may provide a sample of the licensee's products to a licensed retail marijuana testing facility pursuant to subsection 6 for testing and research purposes. A retail marijuana products manufacturing facility licensee shall maintain a record of what was provided to the retail marijuana testing facility, the identity of the testing facility and the results of the testing.

(5) A retail marijuana products manufacturing facility licensee may list ingredients and compatibility with dietary practices on an edible retail marijuana product.

(6) All retail marijuana products that require refrigeration to prevent spoilage must be stored and transported in a refrigerated environment.

D. Nothing in this chapter may be construed to limit a law enforcement agency's ability to investigate unlawful activity in relation to a retail marijuana establishment. A law enforcement agency may run a Maine criminal history record check of a licensee, or employee of a licensee, during an investigation of unlawful activity related to retail marijuana and retail marijuana products.

E. Retail marijuana products may be transported between a licensed retail marijuana products manufacturing facility and retail marijuana stores, other retail marijuana products manufacturing facilities, retail marijuana social clubs and retail marijuana testing facilities.

**6. Retail marijuana testing facility license.** A retail marijuana testing facility license may be issued to a person who performs testing and research on retail marijuana. The facility may develop and test retail marijuana products.

The state licensing authority shall adopt rules pursuant to its authority in section 2445 related to acceptable testing and research practices, including but not limited to testing, standards, quality control analysis, equipment certification and calibration, chemical identification and other practices used in bona fide research methods.

A. A person that has an interest in a retail marijuana testing facility license from the state licensing authority for testing purposes may not have any interest in a registered dispensary, a registered caregiver, a licensed retail marijuana store, a licensed retail marijuana social club, a licensed retail marijuana cultivation facility or a licensed retail marijuana products manufacturing facility. A person that has an interest in a registered dispensary, a registered caregiver, a licensed retail marijuana store, a licensed retail marijuana social club, a licensed retail marijuana cultivation facility or a

licensed retail marijuana products manufacturing facility may not have an interest in a facility that has a retail marijuana testing facility license. For purposes of this paragraph, "interest" includes an ownership interest or partial ownership interest or any other type of financial interest, such as being an investor or serving in a management position.

B. Retail marijuana and retail marijuana products may be transported between the licensed retail marijuana testing facility and retail marijuana cultivation facilities, retail marijuana products manufacturing facilities, retail marijuana stores and retail marijuana social clubs.

**7. Retail marijuana social club license.** The following provisions govern retail marijuana social clubs.

A. A licensed retail marijuana social club may sell only retail marijuana, retail marijuana products, marijuana accessories, nonconsumable products such as apparel, marijuana-related products and edible products that do not contain marijuana, including but not limited to sodas, candies and baked goods, but may not sell or give away cigarettes or alcohol. All retail marijuana and retail marijuana products purchased at a licensed retail marijuana social club must be consumed or disposed of on and may not be taken off the licensed premises.

B. A retail marijuana social club shall track all of its retail marijuana and retail marijuana products from the point at which they are transferred from a retail marijuana cultivation facility, retail marijuana store or retail marijuana products manufacturing facility to the point of sale.

C. The following provisions govern procedures for preventing sales to persons under 21 years of age.

(1) Prior to allowing a person onto the retail marijuana social club's licensed premises, an employee of the retail marijuana social club shall verify that the person has a valid government-issued identification card, or other acceptable identification, showing that the person is 21 years of age or older. If a person under 21 years of age presents a fraudulent proof of age, any action relying on the fraudulent proof of age may not be grounds for the revocation or suspension of any license issued under this chapter.

(2) The state licensing authority shall adopt rules, which are routine technical rules as described in Title 5, chapter 375, subchapter 2-A, to prohibit certain signs, marketing and advertising, including but not limited to a prohibition on mass-market campaigns that

have a high likelihood of reaching persons under 21 years of age.

These rules may include:

(a) A prohibition on health or physical benefit claims in advertising, merchandising and packaging;

(b) A prohibition on unsolicited advertising on the Internet;

(c) A prohibition on opt-in marketing that does not permit an easy and permanent opt-out feature; and

(d) A prohibition on marketing directed toward location-based devices, including but not limited to cellular phones, unless the marketing is a mobile device application installed on the device by the owner of the device who is 21 years of age or older and includes a permanent and easy opt-out feature.

(3) Notwithstanding any other provision of state law, sales of retail marijuana and retail marijuana products are not exempt from state sales tax.

(4) Nothing in this chapter may be construed to limit a law enforcement agency's ability to investigate unlawful activity in relation to a retail marijuana establishment. A law enforcement agency may run a Maine criminal history record check of a licensee, or employee of a licensee, during an investigation of unlawful activity related to retail marijuana and retail marijuana products.

D. Retail marijuana and retail marijuana products may be transported between a licensed retail marijuana social club and other retail marijuana social clubs or retail marijuana testing facilities.

**8. Inspection of books and records.** Each licensee shall keep a complete set of all records necessary to show fully the business transactions of the licensee, all of which must be open at all times during business hours for the inspection and examination by the state licensing authority or its duly authorized representatives. The state licensing authority may require any licensee to furnish such information as it considers necessary for the proper administration of this chapter and may require an audit to be made of the books of account and records on such occasions as it may consider necessary by an auditor to be selected by the state licensing authority. The auditor must have access to all books and records of the licensee, and the cost of the audit must be paid by the licensee.

The licensed premises, including any places of storage, where retail marijuana or retail marijuana products are stored, cultivated, sold, dispensed or tested are

subject to inspection by the State or the municipality in which the licensed premises are located and by the investigators of the State or municipality during all business hours and other times of apparent activity for the purpose of inspection or investigation. Access must be granted during business hours for examination of any inventory or books and records required to be kept by a licensee. When any part of the licensed premises consists of a locked area, upon demand to the licensee this area must be made available for inspection, and, upon request by authorized representatives of the State or municipality, the licensee shall open the area for inspection.

Each licensee shall retain all books and records necessary to show fully the business transactions of the licensee for a period comprising the current tax year and the 2 immediately preceding tax years.

**9. Product pricing.** Nothing in this chapter may be construed as granting to the state licensing authority the power to fix prices for retail marijuana or retail marijuana products.

**10. License fees.** The state licensing authority shall determine the revenue needed to set up the licensing and enforcement operations of the department and set the fees applicable to the categories as outlined in subsection 1 within the ranges specified in the following schedule:

A. Retail marijuana store license, \$250 to \$2,500, with a \$10 to \$250 nonrefundable application fee;

B. Retail marijuana cultivation facility license, \$10 to \$100 per unit block, with a \$10 to \$250 nonrefundable application fee;

C. Retail marijuana products manufacturing facility license, \$100 to \$1,000, with a \$10 to \$250 nonrefundable application fee;

D. Retail marijuana testing facility license, \$500, with a \$10 to \$250 nonrefundable application fee;

E. Retail marijuana social club license, \$250 to \$2,500, with a \$10 to \$250 nonrefundable application fee; and

F. Occupational licenses and registrations for owners, managers, operators, employees, contractors and other support staff employed at, working in or having access to restricted access areas of the licensed premises, as determined by the state licensing authority.

**11. License terms.** All licenses under this chapter are effective for one year from the date of issuance.

**12. License renewal.** The following provisions govern license renewals.

A. Ninety days prior to the expiration date of an existing license, the state licensing authority shall notify the licensee of the expiration date by first

class mail at the licensee's address of record with the state licensing authority. A licensee may apply for the renewal of an existing license to the state licensing authority not less than 30 days prior to the date of expiration. Upon receipt of an application for renewal of an existing license and any applicable fees, the state licensing authority shall, within 7 days, submit a copy of the application to the appropriate municipality to determine whether the application complies with all local restrictions on renewal of licenses.

B. The state licensing authority may not accept an application for renewal of a license after the date of expiration, except that the state licensing authority may extend the expiration date of the license and accept a late application for renewal of a license as long as the applicant has filed a timely renewal application with the municipality. The state licensing authority or the municipality, in its discretion, subject to the requirements of section 2447 and based upon reasonable grounds, may waive the 30-day time requirements set forth in this subsection.

C. Notwithstanding the provisions of paragraph A, a licensee whose license has been expired for not more than 90 days may file a late renewal application upon the payment of a nonrefundable late application fee of \$250 to the state licensing authority. A licensee who files a late renewal application and pays the requisite fees may continue to operate until the state licensing authority takes final action to approve or deny the licensee's late renewal application unless the state licensing authority summarily suspends the license pursuant to subsection 16, this chapter and rules adopted pursuant to this chapter.

D. The state licensing authority may administratively extend the expiration date of a license and accept a later application for renewal of a license at the discretion of the state licensing authority.

E. The state licensing authority may, for good cause, elect to not renew a license.

13. Inactive licenses. The state licensing authority, in its discretion, may revoke or elect not to renew any license if it determines that the licensed premises have been inactive, without good cause, for at least one year.

14. Unlawful financial assistance. The state licensing authority shall require a complete disclosure of all persons having a direct or indirect financial interest, and the extent of such interest, in each license issued under this chapter. This subsection is intended to prohibit and prevent the control of a retail marijuana store, retail marijuana cultivation facility, retail marijuana products manufacturing facility or retail marijuana social club by a person or party other than the

persons licensed pursuant to the provisions of this chapter.

15. Denial of license. The state licensing authority may, for good cause, deny approval of a license application. Upon denial of a license application, the state licensing authority shall inform the applicant of the basis for denial and the right to appeal the denial in a hearing.

16. Disciplinary actions. In addition to any other sanctions prescribed by this chapter, or rules adopted pursuant to this chapter, the state licensing authority has the power, on its own motion or on complaint, after investigation and opportunity for a public hearing at which the licensee must be afforded an opportunity to be heard, to fine a licensee or to suspend or revoke a license issued by the state licensing authority for a violation by the licensee, or by any of the agents or employees of the licensee, of the provisions of this chapter or any of the rules adopted pursuant to this chapter or of any of the terms, conditions or provisions of the license issued by the state licensing authority. The state licensing authority has the power to administer oaths and issue subpoenas to require the presence of persons and the production of papers, books and records necessary for a hearing that the state licensing authority is authorized to conduct.

The state licensing authority shall provide notice of suspension, revocation, fine or other sanction, as well as the required notice of the hearing required by this subsection, by mailing the same in writing to the licensee at the address contained in the license and, if different, at the last address furnished to the state licensing authority by the licensee. Except in the case of a summary suspension, a suspension may not be for a period longer than 6 months. If a license is suspended or revoked, a part of the fees paid must be retained by the state licensing authority.

Whenever a decision of the state licensing authority suspending a license for 14 days or less becomes final, the licensee may, before the operative date of the suspension, petition for permission to pay a fine in lieu of having the license suspended for all or part of the suspension period. Upon the receipt of the petition, the state licensing authority may, in its sole discretion, stay the proposed suspension and cause any investigation to be made that it considers desirable and may, in its sole discretion, grant the petition if the state licensing authority is satisfied that:

A. The public welfare would not be impaired by permitting the licensee to operate during the period set for suspension and that the payment of the fine will achieve the desired disciplinary purposes; and

B. The books and records of the licensee are kept in such a manner that the loss of sales that the licensee would have suffered had the suspension

gone into effect can be determined with reasonable accuracy.

The fine imposed may not be less than \$500 nor more than \$10,000. Payment of a fine pursuant to the provisions of this subsection must be in the form of cash or in the form of a certified check or cashier's check made payable to the state licensing authority.

Upon payment of the fine pursuant to this subsection, the state licensing authority shall enter its order permanently staying the imposition of the suspension. Fines paid to the state licensing authority pursuant to this subsection must be transmitted to the Treasurer of State.

In connection with a petition pursuant to this subsection, the authority of the state licensing authority is limited to the granting of such stays as are necessary for the state licensing authority to complete its investigation and make its findings and, if the state licensing authority makes such findings, to the granting of an order permanently staying the imposition of the entire suspension or that portion of the suspension not otherwise conditionally stayed.

If the state licensing authority does not make the findings required in this subsection and does not order the suspension permanently stayed, the suspension goes into effect on the operative date finally set by the state licensing authority.

No later than January 15th of each year, the state licensing authority shall compile a report of the preceding year's actions in which fines, suspensions or revocations were imposed by the state licensing authority. The state licensing authority shall include this information in its annual report to the Legislature.

**17. Disposition of unauthorized retail marijuana or retail marijuana products and related materials.** The following provisions apply to the disposition of unauthorized retail marijuana or retail marijuana products and related materials.

A. The provisions of this subsection apply in addition to any criminal, civil or administrative penalties and in addition to any other penalties prescribed by this chapter or any rules adopted pursuant to this chapter. Every licensee is deemed, by virtue of applying for, holding or renewing that licensee's license, to have expressly consented to the procedures set forth in this subsection.

B. If the state licensing authority issues a final agency order imposing a disciplinary action against a licensee pursuant to subsection 16, then, in addition to any other remedies, the state licensing authority's final agency order may specify that some or all of the licensee's marijuana or marijuana products is not retail marijuana or a retail marijuana product and is an illegal controlled substance. The order may further specify that the li-

censee loses any ownership interest in any of the marijuana or marijuana products even if the marijuana or marijuana products previously qualified as retail marijuana or a retail marijuana product. The final agency order may direct the destruction of any such marijuana and marijuana products. The authorized destruction may include the incidental destruction of any containers, equipment, supplies and other property associated with the marijuana or marijuana products.

C. A district attorney, or an assistant attorney general, shall notify the state licensing authority if an investigation of a retail marijuana establishment or retail marijuana social club is commenced. If the state licensing authority has received notification from a district attorney, or an assistant attorney general, that an investigation is being conducted, the state licensing authority may not destroy any marijuana or marijuana products from the retail marijuana establishment or retail marijuana social club until the destruction is approved by the district attorney or assistant attorney general.

D. A state or local agency may not be required to cultivate or care for any retail marijuana or retail marijuana products belonging to or seized from a licensee. A state or local agency is not authorized to sell marijuana, retail or otherwise.

**18. Judicial review.** Final agency actions by the state licensing authority are subject to judicial review pursuant to Title 5, section 11001, et seq.

#### **§2449. Local licensing**

**1. Municipality may regulate retail marijuana establishments and retail marijuana social clubs.** A municipality may regulate the location and operation of retail marijuana establishments and retail marijuana social clubs pursuant to Title 30-A, chapter 187, subchapter 3. A municipality may adopt and enforce regulations for retail marijuana establishments and retail marijuana social clubs that are at least as restrictive as the provisions of this chapter and any rule adopted pursuant to this chapter. Nothing in this chapter prohibits the registered voters of a municipality from calling for a vote on any regulations adopted by a municipal legislative body.

**2. Municipal approval required.** A retail marijuana establishment or retail marijuana social club may not operate until it is licensed by the state licensing authority pursuant to this chapter and approved by the municipality in which it is located. If an application is denied by the municipality, the licensee has 90 days to locate and obtain legal interest in another property in a municipality that approves of the retail marijuana establishment or retail marijuana social club before the license is revoked.

**3. Notice and portion of fee must be given to municipality.** When the state licensing authority receives an application for original licensing, or renewal of an existing license, for any retail marijuana establishment or retail marijuana social club, the state licensing authority shall, within 7 business days, provide a copy of the application and 50% of the licensing fee to the municipality in which the establishment or club is to be located. The municipality shall determine whether the application complies with the local land use ordinance and any other restrictions on time, place, manner and the number of marijuana businesses within the municipality. The municipality shall inform the state licensing authority whether the application complies with the local land use ordinance and other local restrictions.

**4. Municipality may impose licensing requirement.** A municipality may impose a separate local licensing requirement as a part of its restrictions on time, place, manner and the number of marijuana businesses. A municipality may decline to impose any local licensing requirements, but a municipality shall notify the state licensing authority that it either approves or denies each application forwarded to it within 14 business days.

**5. Public hearing notice.** The following provisions govern local public hearings and notice.

A. If a municipality issues local licenses for a retail marijuana establishment or retail marijuana social club, a public hearing on the application may be scheduled. If the municipality schedules such a hearing, it shall post and publish public notice of the hearing not less than 10 days prior to the hearing. The municipality shall give public notice by posting a sign in a conspicuous place on the premises identified in a local license application and by publication in a newspaper of general circulation in the county in which the premises are located.

B. If a municipality does not issue local licenses, the municipality may give public notice of the state application by posting a sign in a conspicuous place on the premises identified in the application and by publication in a newspaper of general circulation in the county in which the premises are located.

#### **§2450. Transfer of ownership**

A license granted under the provisions of this chapter is not transferable except as provided in this section, but this section does not prevent a change of location as provided in section 2451, subsection 7.

For a transfer of ownership, a licensee shall apply to the state licensing authority on forms prepared and furnished by the state licensing authority. Upon receipt of an application for transfer of ownership, the state licensing authority shall, within 7 days, submit a

copy of the application to the appropriate municipality to determine whether the transfer complies with any local restriction on transfer of ownership. In determining whether to permit a transfer of ownership, the state licensing authority shall consider only the requirements of this chapter, any rules adopted by the state licensing authority and any other local restrictions. The municipality may hold a hearing on the application for transfer of ownership. The municipality may not hold a hearing pursuant to this section until the municipality has posted a notice of hearing in the manner described in section 2449, subsection 5 on the licensed premises for a period of 10 days and has provided notice of the hearing to the applicant at least 10 days prior to the hearing. Any transfer of ownership hearing by the state licensing authority must be held in compliance with the requirements specified for a municipality in this section.

#### **§2451. Licensing in general**

The following provisions govern licensing in general.

**1. Notice of new owner, officer, manager or employee.** A retail marijuana establishment or retail marijuana social club shall notify the state licensing authority in writing of the name, address and date of birth of an owner, officer, manager or employee before the new owner, officer, manager or employee begins managing, owning or associating with the establishment or club. The owner, officer, manager or employee must pass a fingerprint-based criminal history record check as required by the state licensing authority and obtain the required identification card prior to being associated with, managing, owning or working at the establishment or club.

**2. Each license separate.** Each license issued under this chapter is separate and distinct. A person may not exercise any of the privileges granted under a license other than the license that the person holds and a licensee may not allow any other person to exercise the privileges granted under the licensee's license. A separate license is required for each specific business or business entity and each geographical location.

**3. Licensee to maintain possession of premises.** At all times, a licensee shall possess and maintain possession of the licensed premises identified in the license by ownership, lease, rental or other arrangement for possession of the premises.

**4. License specifics; display.** A license issued pursuant to this chapter must specify the date of issuance, the period of licensure, the name of the licensee and the premises licensed. A licensee shall conspicuously place the license at all times on the licensed premises.

**5. Computation of time.** In computing any time prescribed by this chapter, the day of the act, event or default from which the designated time begins to run

is not included. Saturdays, Sundays and legal holidays are counted as any other day except that any documents due to be submitted to state or local government on a date that falls on a Saturday, Sunday or legal holiday are due on the next business day.

**6. Licensee to report transfer of interest.** A licensee shall report each transfer or change of financial interest in the license to the state licensing authority and appropriate municipality and receive approval prior to any transfer or change pursuant to section 2450.

**7. Relocation of licensed premises.** A licensee may move the permanent location of licensed premises to any other place in this State once permission to do so is granted by the state licensing authority and municipality where the retail marijuana establishment or retail marijuana social club proposes to relocate. Upon receipt of an application for change of location, the state licensing authority shall, within 7 days, submit a copy of the application to the municipality to determine whether the transfer complies with all local restrictions on change of location. In permitting a change of location, the municipality where the retail marijuana establishment or retail marijuana social club proposes to relocate shall consider all reasonable restrictions that are or may be placed upon the new location by the governing board of the municipality. Any such change in location must be in accordance with all requirements of this chapter and rules adopted pursuant to this chapter.

#### **§2452. Personal use of marijuana**

**1. Person 21 years of age or older.** A person 21 years of age or older may:

A. Use, possess or transport marijuana accessories and up to 2 1/2 ounces of prepared marijuana;

B. Transfer or furnish, without remuneration, up to 2 1/2 ounces of marijuana and up to 6 immature plants or seedlings to a person who is 21 years of age or older;

C. Possess, grow, cultivate, process or transport up to 6 flowering marijuana plants, 12 immature plants and unlimited seedlings, and possess all the marijuana produced by the plants at the adult's residence;

D. Purchase up to 2 1/2 ounces of retail marijuana and marijuana accessories from a retail marijuana store; and

E. Purchase up to 12 seedlings or immature plants from a retail marijuana cultivation facility.

**2. Home cultivation.** The following provisions apply to the home cultivation of marijuana for personal use by a person who is 21 years of age or older.

A. A person may cultivate up to 6 flowering marijuana plants at that person's place of resi-

dence, on property owned by that person or on another person's property with written permission of the owner of the property.

B. A person who elects to cultivate marijuana shall ensure the marijuana is not visible from a public way without the use of binoculars, aircraft or other optical aids and shall take reasonable precautions to prevent unauthorized access by a person under 21 years of age.

**3. Legible tag on each marijuana plant.** A person 21 years of age or older must have a legible tag on each marijuana plant. The tag must include at least the person's name and Maine driver's license number or Maine identification number.

**4. Exemptions.** The following exemptions apply.

A. Marijuana cultivation for medical use is not considered cultivation for personal use under this chapter and is governed by Title 22, section 2423-A.

B. This section does not apply to cultivation by a registered dispensary licensed pursuant to Title 22, section 2428.

**5. Use.** A person may consume marijuana in a nonpublic place including a private residence.

A. The prohibitions and limitations on smoking tobacco products in specified areas in Title 22, chapters 262 and 263 apply to smoking marijuana.

B. A person who smokes marijuana in a public place other than as governed by Title 22, chapters 262 and 263 commits a civil violation for which a fine of not more than \$100 may be adjudged.

C. This subsection may not be construed to shield any adult from federal prosecution.

D. This subsection may not be construed to allow any adult to possess or consume marijuana on federal property.

#### **§2453. Unlawful acts and exceptions**

**1. Consumption; transfer.** Except as otherwise provided in this chapter, a person may not:

A. Consume retail marijuana or retail marijuana products in a retail marijuana establishment. A retail marijuana establishment may not allow retail marijuana or retail marijuana products to be consumed upon its licensed premises; or

B. Buy, sell, transfer, give away or acquire retail marijuana or retail marijuana products.

**2. Limited access area; transfer of ownership.** Except as otherwise provided in this chapter, a person licensed pursuant to this chapter may not:

A. Be within a limited access area unless the person's identification card is displayed as required by this chapter;

B. Fail to designate areas of ingress and egress for limited access areas and post signs in conspicuous locations as required by this chapter; or

C. Fail to report a transfer as required by section 2450.

**3. Person licensed to sell retail marijuana or retail marijuana products.** A person licensed to sell retail marijuana or retail marijuana products pursuant to this chapter may not:

A. Display any signs that are inconsistent with local laws or regulations;

B. Use advertising material that is misleading, deceptive or false, or that is designed to appeal to a person under 21 years of age;

C. Have in that person's possession or upon the licensed premises any marijuana the sale of which is not permitted by the license;

D. Sell retail marijuana or retail marijuana products to a person under 21 years of age without checking the person's identification;

E. Except for a retail marijuana social club licensee, have on the licensed premises any retail marijuana, retail marijuana products or marijuana paraphernalia that shows evidence of the retail marijuana having been consumed or partially consumed; or

F. Violate the provisions of section 2450 or abandon the licensed premises or otherwise cease operation without notifying the state licensing authority and appropriate municipality at least 48 hours in advance and without accounting for and forfeiting to the state licensing authority for destruction all marijuana and products containing marijuana.

## **§2454. Construction**

**1. Relation to the Maine Medical Use of Marijuana Act.** This chapter may not be construed to limit any privileges or rights of a qualifying patient, primary caregiver, registered or otherwise, or registered dispensary under the Maine Medical Use of Marijuana Act.

**2. Employment policies.** This chapter may not be construed to require an employer to permit or accommodate the use, consumption, possession, trade, display, transportation, sale or growing of cannabis in the workplace. This chapter does not affect the ability of employers to enact and enforce workplace policies restricting the use of marijuana by employees or to discipline employees who are under the influence of marijuana in the workplace.

**3. School, employer or landlord may not discriminate.** A school, employer or landlord may not refuse to enroll or employ or lease to or otherwise penalize a person 21 years of age or older solely for that person's consuming marijuana outside of the school's, employer's or landlord's property.

**4. Person may not be denied parental rights and responsibilities or contact with a minor child.** A person may not be denied parental rights and responsibilities with respect to or contact with a minor child as a result of acting in accordance with this chapter, unless the person's conduct is contrary to the best interest of the minor child as set out in Title 19-A, section 1653, subsection 3.

**Sec. 2. 22 MRSA §2383, sub-§1,** as repealed and replaced by PL 2009, c. 652, Pt. B, §6, is repealed.

**Sec. 3. 36 MRSA §1817** is enacted to read:

### **§1817. Taxes on retail marijuana and retail marijuana products**

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

A. "Retail marijuana" has the same meaning as in Title 7, section 2442, subsection 34.

B. "Retail marijuana product" has the same meaning as in Title 7, section 2442, subsection 37.

C. "Retail marijuana social club" has the same meaning as in Title 7, section 2442, subsection 39.

D. "Retail marijuana store" has the same meaning as in Title 7, section 2442, subsection 40.

E. "State licensing authority" has the same meaning as in Title 7, section 2442, subsection 44.

**2. Sales tax on retail marijuana and retail marijuana products.** The sales tax on retail marijuana and retail marijuana products is 10% and is the only tax charged on the sale of retail marijuana and retail marijuana products at the point of final sale at a retail marijuana store or retail marijuana social club.

**3. Returns; payment of tax; penalty.** A retail marijuana store or retail marijuana social club shall file, on or before the last day of each month, a return on a form prescribed and furnished by the state licensing authority together with payment of the sales tax due under this section. The return must report all sales of retail marijuana and retail marijuana products within the State during the preceding calendar month. A retail marijuana store or retail marijuana social club shall keep a complete and accurate record at its principal place of business to substantiate all receipts and sales of retail marijuana and retail marijuana products.

**4. Failure to make payments.** The state licensing authority shall adopt rules to address the case in which a retail marijuana store or retail marijuana so-

cial club fails to make tax payments as required by this section, including fines and other penalties up to permanently revoking the retail marijuana store's or retail marijuana social club's license. Rules adopted pursuant to this subsection are routine technical rules as described in Title 5, chapter 375, subchapter 2-A.

**5. Exemption.** The tax on marijuana imposed pursuant to this section may not be levied on marijuana sold by a registered nonprofit dispensary or registered caregiver to a qualifying patient or primary caregiver pursuant to Title 22, chapter 558-C.

**6. Records.** The following records must be kept by a licensee and those records must be available for inspection by an agent of the state licensing authority:

A. The reports and transmittal of monthly sales tax payments by retail marijuana stores and retail marijuana social clubs; and

B. Authorization for the Bureau of Revenue Services to have access to licensing information to ensure sales, excise and income tax payment.

**7. Application of tax revenues.** All sales tax revenue collected pursuant to this section must be deposited in the General Fund. Sales tax revenue derived from the sale of retail marijuana and retail marijuana products may not be used to directly fund any new state programs except that this revenue may be appropriated to the Maine Criminal Justice Academy for the purpose of training law enforcement personnel on retail marijuana and retail marijuana products laws and rules. Funds appropriated to the Maine Criminal Justice Academy pursuant to this subsection may be used only for the actual costs incurred to provide the necessary education and training of law enforcement personnel.

Effective January 30, 2017.

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## JOINT STUDY ORDERS

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### JOINT ORDER, ESTABLISHING THE TASK FORCE TO ADDRESS THE OPIOID CRISIS IN THE STATE

#### S.P. 210

**ORDERED**, the House concurring, that, notwithstanding Joint Rule 353, the Task Force To Address the Opioid Crisis in the State, referred to in this order as "the task force," is established as follows.

**1. Appointment; composition.** The task force consists of members appointed as follows:

A. Four members of the Senate, appointed by the President of the Senate, including 2 members of the party holding the largest and 2 members of the party holding the 2nd-largest number of seats in the Senate;

B. Four members of the House of Representatives, appointed by the Speaker of the House, including 2 members of the party holding the largest and 2 members of the party holding the 2nd-largest number of seats in the House of Representatives;

C. One member who is an administrator at a hospital in the State, appointed by the President of the Senate;

D. One member representing the interests of law enforcement, appointed by the President of the Senate;

E. One member representing the interests of providers of services at opioid treatment facilities, appointed by the President of the Senate;

F. One member representing a statewide association of physicians in the State, appointed by the President of the Senate;

G. One member who is recovering from opioid addiction, appointed by the Speaker of the House;

H. One member representing the interests of providers of substance abuse and recovery services, appointed by the Speaker of the House;

I. One member who is a physician specializing in addiction treatment, appointed by the Speaker of the House; and

J. One member who is a behavioral health specialist, appointed by the Speaker of the House.

The President of the Senate and the Speaker of the House shall invite to participate as members of the task force the Governor, or the Governor's designee; the Attorney General, or the Attorney General's designee; and a representative of the judicial branch.

**2. Chairs.** The first-named Senator is the Senate chair of the task force and the first-named member of the House of Representatives is the House chair of the task force.

**3. Appointments; convening.** All appointments must be made no later than 30 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the task force shall call and convene the first meeting of the task force. If 30 days or more after the passage of this order a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the task force to meet and conduct its business.

**4. Duties.** The task force shall examine the current laws in the State addressing opiate abuse and heroin use, including but not limited to existing laws focused on law enforcement, prevention, treatment and recovery. As part of its study, the task force shall review the report and recommendations of the Maine Opiate Collaborative issued on May 6, 2016 as well as initiatives that have been successfully undertaken by other states, including but not limited to proposals for increased law enforcement personnel or funding; substance abuse prevention, treatment and peer recovery services; and substance abuse prevention and education in schools and communities, and shall develop recommendations to address the opioid crisis in the State.

**5. Compensation.** The legislative members of the task force 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 task force. Public members not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses and, upon a demonstration of financial hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of the task force.

**6. Quorum.** A quorum is a majority of the members of the task force, including those members invited to participate who have accepted the invitation to participate.

**7. Staffing.** The Legislative Council shall contract for necessary staff support for the task force during the legislative session and may contract for such staff support for a longer period to the extent needed and if sufficient funding is available. At the request of the task force, the Legislative Council may provide drafting assistance to the task force during the legislative session and other staffing support to the task force when the Legislature is not in session.

**8. Reports.** No later than April 30, 2017, the task force shall submit an initial report that includes its findings and recommendations, including suggested legislation, for introduction to the First Regular Session of the 128th Legislature. No later than December 6, 2017, the task force shall submit a final report that includes its findings and recommendations, including suggested legislation, for introduction to the Second Regular Session of the 128th Legislature.

**Passed by the Senate February 16, 2017 and the House of Representatives February 16, 2017.**

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**JOINT ORDER, ESTABLISHING THE TASK FORCE ON MAINE'S 21ST CENTURY ECONOMY AND WORKFORCE**

**S.P. 294**

**WHEREAS**, historically, Maine has been world-renowned for its hard-working people, its enviable quality of life and its production of high-quality products; and

**WHEREAS**, for generations, citizens of the State had jobs in industries such as logging, shipbuilding, papermaking, textiles, manufacturing, farming and fishing that allowed workers to live and raise families in the State; and

**WHEREAS**, jobs that supported a thriving Maine economy were responsible for decades of growth in many of our communities in the State, but over the years, jobs that provided living wages, benefits and job security became harder and harder to find; and

**WHEREAS**, as the prospects for well-paying jobs diminished in the rapidly changing world economy, so too did Maine's ability to retain its young people, who increasingly sought opportunities else-

where, contributing to Maine's looming demographic crisis; and

**WHEREAS**, a prosperous Maine economy will require skilled workers capable of succeeding in the modern economy as well as innovative investments that will help Maine businesses grow and thrive; and

**WHEREAS**, it is essential that the Legislature work with the State's businesses, education community and workforce, as well as with policy experts, to develop and implement measures to strengthen the State's economy, bring back jobs and young people and expand the middle class; and

**WHEREAS**, the members of the Joint Select Committee on Maine's Workforce and Economic Future in the 126th Legislature worked together in a bipartisan manner with input from experts throughout the State to unanimously support legislation to help move Maine toward stronger economic growth and to prepare Maine's workers and businesses to compete in the global marketplace; now, therefore, be it

**ORDERED**, the House concurring, that, notwithstanding Joint Rule 353, the Task Force on Maine's 21st Century Economy and Workforce, referred to in this order as "the task force," is established as follows.

**1. Appointments; composition.** The task force consists of members appointed as follows:

A. Four members of the Senate, appointed by the President of the Senate, including 2 members of the party holding the largest and 2 members of the party holding the 2nd largest number of seats in the Senate;

B. Four members of the House of Representatives, appointed by the Speaker of the House of Representatives, including 2 members of the party holding the largest and 2 members of the party holding the 2nd largest number of seats in the House of Representatives;

C. One member representing the interests of the Maine Community College System, appointed by the President of the Senate;

D. One member representing the interests of the University of Maine System, appointed by the Speaker of the House of Representatives;

E. One member representing the interests of apprenticeship programs in the State, appointed by the Speaker of the House of Representatives;

F. One member representing the interests of providers and teachers of adult education in the State, appointed by the President of the Senate;

G. One member representing the interests of private colleges in the State, appointed by the Speaker of the House of Representatives;

H. One member representing the statewide interests of the business community, appointed by the President of the Senate;

I. One member representing the interests of a Maine business that employs more than 1,000 workers, appointed by the President of the Senate; and

J. One member representing the interests of a Maine business that employs fewer than 1,000 workers, appointed by the Speaker of the House of Representatives.

The President of the Senate and the Speaker of the House of Representatives shall invite to participate as members of the task force the Commissioner of Education, or the commissioner's designee, and the Commissioner of Labor, or the commissioner's designee.

**2. Chairs.** The first-named Senator is the Senate chair of the task force and the first-named member of the House of Representatives is the House chair of the task force. Notwithstanding Joint Rule 353, the chairs may appoint, as nonvoting members, individuals who represent the interests of those sectors of industry that have experienced significant workforce shortages. Any additional members appointed pursuant to this section are not entitled to compensation or reimbursement under section 5.

**3. Appointments; convening.** All appointments must be made no later than 15 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the task force shall call and convene the first meeting of the task force. If 15 days or more after the passage of this order a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the task force to meet and conduct its business.

**4. Duties.** The task force shall review ways to strengthen the State's economy, improve the State's business climate and facilitate economic growth in the State, including strategies to make targeted and strate-

gic investments in the State's workforce and businesses; to expand partnerships among the State's workers, educators and businesses to specifically address workforce needs and worker training; to develop strategies for attracting, retaining and training Maine workers in sectors of industry most acutely affected by workforce shortage, as identified in priority order by the Maine Department of Labor, including health care, government, retail trade, professional and business services and the hospitality industry; and to help improve the ability of small businesses to innovate and expand.

**5. Compensation.** The legislative members of the task force 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 task force. Public members not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses and, upon a demonstration of financial hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of the task force.

**6. Quorum.** A quorum is a majority of the voting members of the task force, including those members invited to participate who have accepted the invitation to participate.

**7. Staffing.** The Legislative Council shall contract for necessary staff support for the task force during the legislative session and may contract for such staff support for a longer period to the extent needed and if sufficient funding is available. At the request of the task force, the Legislative Council may provide drafting assistance to the task force during the legislative session and other staffing support to the task force when the Legislature is not in session.

**8. Reports.** The task force may submit an initial report, including suggested legislation, prior to the adjournment of the First Regular Session of the 128th Legislature. No later than March 1, 2018, the task force shall submit a final report that includes its findings and recommendations, including suggested legislation, for introduction to the Second Regular Session of the 128th Legislature.

**Passed by the Senate March 7, 2017 and the House of Representatives March 9, 2017.**

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**JOINT STUDY ORDER, TO ESTABLISH  
THE TASK FORCE ON HEALTH CARE  
COVERAGE FOR ALL OF MAINE**

**S.P. 592**

**ORDERED**, the House concurring, that, notwithstanding Joint Rule 353, the Task Force on Health Care Coverage for All of Maine, referred to in this order as "the task force," is established as follows.

**1. Purpose.** It is the intent of the Legislature to ensure that all residents of the State have access to and coverage for affordable, quality health care. It is the intent of the Legislature to study the design and implementation of options for a health care plan that provides coverage for all residents of the State; and be it further

**2. Appointments; composition.** The task force consists of members appointed as follows:

A. Four members of the Senate, appointed by the President of the Senate, including 2 members of the party holding the largest number of seats in the Senate and 2 members of the party holding the 2nd largest number of seats in the Senate, of whom at least one member is a member of the Joint Standing Committee on Insurance and Financial Services and at least one member is a member of the Joint Standing Committee on Health and Human Services;

B. Four members of the House of Representatives, appointed by the Speaker of the House of Representatives, including 2 members of the party holding the largest number of seats in the House of Representatives and 2 members of the party holding the 2nd largest number of seats in the House of Representatives, of whom at least 3 members are members of the Joint Standing Committee on Insurance and Financial Services or the Joint Standing Committee on Health and Human Services;

C. One member representing the interests of hospitals, appointed by the President of the Senate;

D. One member representing the interests of health care providers, appointed by the Speaker of the House of Representatives;

E. Two members representing the interests of health insurance carriers, one appointed by the President of the Senate and one appointed by the Speaker of the House of Representatives;

F. Two members representing the interests of consumers, one appointed by the President of the Senate and one appointed by the Speaker of the House of Representatives;

G. One member representing the interests of employers with fewer than 50 employees, appointed by the Speaker of the House of Representatives; and

H. One member representing the interests of the employers with 50 or more employees, appointed by the President of the Senate.

The President of the Senate and the Speaker of the House of Representatives shall invite to participate as members of the task force the Commissioner of Health and Human Services or the commissioner's designee and the Superintendent of Insurance or the superintendent's designee.

**3. Chairs.** The first-named Senator is the Senate chair of the task force, and the first-named member of the House of Representatives is the House chair of the task force. Notwithstanding Joint Rule 353, the chairs may appoint, as nonvoting members, individuals with expertise in health care policy, health care financing or health care delivery. Any additional members appointed pursuant to this section are not entitled to compensation or reimbursement under section 6.

**4. Appointments; convening.** All appointments must be made no later than 15 days following passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When the appointment of all members has been completed, the chairs of the task force shall call and convene the first meeting of the task force. If 15 days or more after the passage of this order a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the task force to meet and conduct its business.

**5. Duties; design options.** The task force shall propose at least 3 design options, including implementation plans, for creating a system of health care that ensures all residents of the State have access to and coverage for affordable, quality health care. The design options must meet the principles and goals outlined in this order. The proposals designed under this order must contain the analysis and recommendations as provided for in this section.

A. The proposal must include the following design options:

(1) A design for a government-administered and publicly financed universal payer health benefits system that is decoupled from employment, that prohibits insurance coverage for the health services provided by the system and that allows for private insurance coverage of only supplemental health services;

(2) A design for a universal health benefits system with integrated delivery of health care and integrated payment systems for all individuals that is centrally administered by State Government or an entity under contract with State Government; and

(3) A design for a public health benefits option administered by State Government or an entity under contract with State Government that allows individuals to choose between the public option and private insurance coverage and allows for fair and robust competition among public and private plans.

Additional options may be designed by the task force, taking into consideration the parameters described in this section.

Each design option must include sufficient detail to allow the task force to report back to the Legislature to enable the Legislature to consider the adoption of one design and to determine an implementation plan for that design during the First Regular Session of the 129th Legislature, including the submission of any necessary waivers pursuant to federal law.

B. In creating the design options under paragraph A, the task force shall review and consider the following fundamental elements:

(1) The findings and reports from previous studies of health care reform in the State, including the December 2002 document titled "Feasibility of a Single-Payer Health Care Model for the State of Maine" produced by Mathematica Policy Research, Inc., and studies and reports provided to the Legislature;

(2) The State's current health care reform efforts;

(3) The health care reform efforts in other states, including any efforts in other states to develop state innovation waivers for universal health coverage plans as an alternative to the

federal Patient Protection and Affordable Care Act;

(4) The federal Patient Protection and Affordable Care Act or any other successor federal legislation; the federal Employee Retirement Income Security Act of 1974, as amended; and the Medicare program, the Medicaid program and the State Children's Health Insurance Program under Titles XVIII, XIX and XXI, respectively, of the federal Social Security Act; and

(5) The health care systems adopted in other countries.

C. Each design option under paragraph A must maximize federal funds to support the system and must be composed of the following components:

(1) A payment system for health services that includes one or more packages of health services providing for the integration of physical and mental health services; budgets, payment methods and a process for determining payment amounts; and mechanisms for cost reduction and cost containment;

(2) Coordinated regional delivery systems;

(3) Health system planning and regulation and public health;

(4) Financing and estimated costs, including federal financing. Each design option must provide:

(a) An estimate of the total costs of the design option, including any additional costs for providing access to and coverage for health services to the uninsured and underinsured, any estimated costs necessary to build a new system and any estimated savings from implementing a single system;

(b) Financing proposals for sustainable revenue, including by maximization of federal revenues or by reductions from existing health care programs, services, state agencies or other sources necessary for funding the cost of the new system;

(c) A proposal to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to waive provisions of Titles XVIII,

XIX and XXI of the federal Social Security Act, if necessary, to align the federal programs with the proposals contained within the design option in order to maximize federal funds or to promote the simplification of administration, cost containment or promotion of health care reform initiatives; and

(d) A proposal to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to waive provisions of the federal Patient Protection and Affordable Care Act, if necessary, to implement the proposals contained within the design option in order to maximize federal funds;

(5) A method to address compliance of the proposed design option with federal law. Unless specifically authorized by federal law, the proposed design option must provide coverage supplemental to coverage available under the Medicare program of the federal Social Security Act, Title XVIII and the federal TRICARE program, 10 United States Code, Chapter 55;

(6) A benefit package or packages of health services that meet the requirements of state and federal law and provide for the integration of physical and mental health care, including access to and coverage for primary care, preventive care and wellness services; specialty care; chronic care and chronic disease management; acute episodic care; palliative and end-of-life care; hospital services; prescription drugs and durable medical equipment; maternity, newborn and pediatric care; laboratory services; mental health and substance use disorder services; and dental, vision and health care;

(7) A method for administering payment for health services, which may include administration by a government agency, under an open bidding process soliciting bids from insurance carriers or 3rd-party administrators, through a private nonprofit insurer or 3rd-party administrator, through private insurers or from a combination of methods;

(8) Enrollment processes;

(9) Integration of pharmacy best practices and cost control programs and other mechanisms to promote evidence-based prescribing, clinical efficacy and cost containment, such as a single statewide preferred drug list, prescriber education and utilization reviews;

(10) Appeals processes for decisions made by entities or agencies administering coverage for health services;

(11) Integration of the workers' compensation system;

(12) A recommendation for budgets and payment methods and a process for determining payment amounts. Payment methods for mental health services must be consistent with mental health parity. The design option must consider:

(a) Recommending a global health care budget when it is appropriate to ensure cost containment by a health care facility, a health care provider, a group of health care professionals or any combination of these entities. Any recommendation must include a process for developing a global health care budget, including circumstances under which an entity may seek an amendment of its budget;

(b) Payment methods to be used for each health care sector that are aligned with the goals of this section and provide for cost containment, provision of high-quality, evidence-based health services in a coordinated setting, patient self-management and healthy lifestyles; and

(c) What process or processes are appropriate for determining payment amounts with the intent to ensure reasonable payments to health care professionals and providers and to eliminate the shift of costs between the payers of health services by ensuring that the amount paid to health care professionals and providers is sufficient. Payment amounts must be sufficient to provide reasonable access to health services, provide uniform payments to health care professionals and assist in creating financial stability for health care professionals. Payment amounts for mental health

services must be consistent with mental health parity;

(13) Mechanisms for cost reduction and cost containment and for oversight to ensure accountability and transparency of all financial transactions;

(14) A regional health system that ensures that the delivery of health services to the residents of the State is coordinated in order to improve health outcomes, improve the efficiency of the health system and improve patients' experiences of health services; and

(15) An overall approach to funding that is broadly based to ensure financial stability.

D. The proposal must include a method to address compliance of the proposed design options under paragraph A with federal law, if necessary, including the federal Patient Protection and Affordable Care Act or any other successor federal legislation; the federal Employee Retirement Income Security Act of 1974, as amended; and Titles XVIII, XIX and XXI of the federal Social Security Act.

E. The proposal must include an analysis of:

(1) The impact of each design option on the State's current private and public insurance system;

(2) The expected net fiscal impact of each design option;

(3) The impact of each design option on the State's economy;

(4) The benefits and drawbacks of alternative timing for the implementation of each design option, including the sequence and rationale for the phasing in of the major components; and

(5) The benefits and drawbacks of each design option and of not changing the current system.

**6. Compensation.** The legislative members of the task force 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 task force. Public members not otherwise compensated by their employers or other entities that they represent are entitled to receive reim-

bursement of necessary expenses and, upon a demonstration of financial hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of the task force.

**7. Quorum.** A quorum is a majority of the voting members of the task force, including those members invited to participate who have accepted the invitation to participate.

**8. Staffing.** The Legislative Council shall provide staff support for the task force. To the extent needed when the Legislature is in session, the Legislative Council may contract for such staff support if sufficient funding is available.

**9. Consultants; additional staff assistance.** The task force may solicit the services of one or more outside consultants to assist the task force to the extent resources are available. Upon request, the Department of Health and Human Services, the Department of Professional and Financial Regulation, Bureau of Insurance and the University of Maine System shall provide any additional staffing assistance to the task force to ensure the task force and its consultant or consultants have the information necessary to create the design options required by this order.

**10. Reports.** The task force may submit an initial report, including suggested legislation, prior to January 1, 2018. No later than November 1, 2018, the task force shall submit a final report that includes its findings and recommendations, including suggested legislation, for introduction to the First Regular Session of the 129th Legislature.

**Sec. 11. Outside funding.** The task force shall seek funding contributions to fully fund the costs of the study. All funding is subject to approval by the Legislative Council in accordance with its policies. If sufficient contributions to fund the study have not been received within 30 days after the effective date of this order, no meetings are authorized and no expenses of any kind may be incurred or reimbursed.

**Passed by the Senate July 20, 2017 and the House of Representatives July 20, 2017.**

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REVISOR'S REPORT  
2015

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**CHAPTER 2**

**Sec. 1. 4 MRSA §251**, as amended by PL 2015, c. 460, §3, is corrected to read:

**§251. General jurisdiction**

Each judge may take the probate of wills and grant letters testamentary or of administration on the estates of all deceased persons who, at the time of their death, ~~where~~ were inhabitants or residents of the judge's county or who, not being residents of the State, died leaving estate to be administered in the judge's county, or whose estate is afterwards found therein; and has jurisdiction of all matters relating to the settlement of such estates. A judge may grant leave to adopt children, change the names of persons, appoint guardians for minors and others according to law and has jurisdiction as to persons under guardianship, and as to whatever else is conferred by law, except in cases in which the District Court has jurisdiction over a child pursuant to section 152, subsection 5-A.

**EXPLANATION**

This section corrects a clerical error.

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**Sec. 2. 5 MRSA §7064, 2nd ¶**, as enacted by PL 2003, c. 177, §1, is corrected to read:

Notwithstanding any provision of this section to the contrary, a permanent, classified employee who accepts appointment to a major policy-influencing position listed in section 931 and in sections 932 to 952 retains, for the duration of the appointment, promotion, transfer and demotion rights consistent with this section 7064.

**EXPLANATION**

This section corrects an internal reference.

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**Sec. 3. 5 MRSA §17152, sub-§1**, as enacted by PL 1985, c. 801, §§5, 7, is corrected to read:

**1. Members' Contribution Fund.** The Members' Contribution Fund; and

**EXPLANATION**

This section makes a technical correction.

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**Sec. 4. 5 MRSA §17806, sub-§1, ¶A-2**, as enacted by PL 2015, c. 334, §2, is corrected to read:

A-2. Regardless of the amount of increase in the Consumer Price Index, for cost-of-living adjustments awarded in fiscal year 2015-16 and fiscal year 2016-17 only, the board shall automatically

make a percentage increase in retirement benefits of no less than 2.55%. The increase applies to that portion of the retirement benefit that would otherwise be subject to an increase under ~~subsection A~~ paragraph A.

**EXPLANATION**

This section corrects a cross-reference.

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**Sec. 5. 5 MRSA §18252-B, sub-§2**, as enacted by PL 1997, c. 709, §4, is corrected to read:

**2. Employer contribution.** The employer must contribute as a percentage of compensation on behalf of each employee in each pay period an amount not less than the amount the employer would be required to pay if the employee were covered under the United States Social Security Act, not including the Medicare portion of the payment, consistent with applicable contribution limits of federal law.

**EXPLANATION**

This section corrects clerical errors.

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**Sec. 6. 7 MRSA §309**, as amended by PL 2009, c. 337, §9, is corrected to read:

**§309. Annual review**

The commissioner and the ~~Agriculture~~ Agricultural Development Committee shall, on an annual basis, review the effectiveness of the programs operated under the provisions of this chapter and provide a summary of the review to the Commissioner of Economic and Community Development.

**EXPLANATION**

This section corrects a clerical error.

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**Sec. 7. 12 MRSA §11403, sub-§2**, as amended by PL 2015, c. 301, §21, is corrected to read:

**2. Open archery season on deer.** The commissioner shall by rule establish a regular archery-only season beginning at least 30 days prior and extending to the beginning of the regular deer hunting season, as described in section 11401, subsection 1, paragraph A, for the purpose of hunting deer with bow and arrow only. During the regular archery-only season on deer, ~~except as provided in section 10952, subsection 2 and section 10953, subsection 1-B~~, the following restrictions apply.

A. A person may not take a deer during a regular archery-only season unless that person uses a hand-held bow and broadhead arrow in accor-

dance with section 11214, subsection 1, paragraph P.

B. A person may not carry firearms of any kind while hunting any species of wildlife with bow and arrow during the regular archery-only season on deer, except that a person who holds a license that allows hunting with firearms may carry a handgun. This paragraph may not be construed to prohibit a person who holds a valid permit to carry a concealed handgun pursuant to Title 25, section 2003 from carrying a handgun.

C. Except as provided in section 11109-A, subsection 3, if a person takes a deer with bow and arrow during the regular archery-only season on deer, that person is precluded from further hunting for deer during that year.

D. Except as provided in this subsection, the provisions of this Part concerning deer are applicable to the taking of deer with bow and arrow, including the transportation, registration and possession of deer taken by this method.

A person who violates this subsection commits a Class E crime.

**EXPLANATION**

This section corrects cross-references.

**Sec. 8. 12 MRSA §13104, sub-§16, ¶A,** as amended by PL 2015, c. 130, §1, is corrected to read:

A. The nonresident's snowmobile has a valid registration from another state or from the Canadian ~~provinces~~ province of New Brunswick or Quebec; and

**EXPLANATION**

This section corrects a clerical error.

**Sec. 9. 17-A MRSA §1118-A, sub-§1, ¶A,** as enacted by PL 2015, c. 485, §3, is corrected to read:

A. At the time of the offense, the person has one or more prior convictions for any Class A, B or C offense under this chapter or for engaging in substantially similar conduct to that of the Class A, B or C offenses under this chapter in another jurisdiction and the drug is:

- (1) A schedule W drug. Violation of this subparagraph is a Class A crime; or
- (2) A schedule X, Y or Z drug. Violation of this subparagraph is a Class B crime;

Section 9-A governs the use of prior convictions when determining a sentence, except that, for the purposes of this paragraph, the date of each prior conviction may precede the commission of the offense being enhanced by more than 10 years;

**EXPLANATION**

This section makes a technical correction.

**Sec. 10. 19-A MRSA §3051, sub-§2, ¶F,** as amended by PL 2015, c. 296, Pt. C, §23 and affected by Pt. D, §1, is corrected to read:

F. An acknowledged father of the child as provided in ~~Title 19-A,~~ chapter 61, subchapter 3;

**EXPLANATION**

This section corrects a cross-reference.

**Sec. 11. 22 MRSA §3035, sub-§1, ¶C,** as enacted by PL 1997, c. 598, §1, is corrected to read:

C. For other items and services such as photographs and transparencies, additional tests relating to ~~toxicology~~ toxicology or specimens and videotaping:

- (1) A handling fee per case, \$20; and
- (2) Anticipated costs of providing the item or service, including shipping charges.

**EXPLANATION**

This section corrects a clerical error.

**Sec. 12. 22 MRSA §3271, sub-§1,** as enacted by PL 1973, c. 790, §3, is corrected to read:

1. A program of regular monthly state supplemental income for blind, disabled and elderly people shall be provided for residents of the State of Maine. Benefits under the state supplemental income program shall be based on need and provided in supplementation of benefits provided by the United ~~State~~ States Government to aged, blind and disabled individuals pursuant to Title XVI of the United States Social Security Act, as amended. Benefits shall be provided to any person who, on account of blindness, disability or age, ~~qualify~~ qualifies for supplemental security income provided pursuant to Title XVI of the United States Social Security Act, as amended, and may, based on need, be provided to individuals who would, but for their income, be eligible for such supplemental security income benefits.

**EXPLANATION**

This section corrects a clerical and a grammatical error.

**Sec. 13. 24-A MRSA §2014,** as amended by PL 1997, c. 592, §60, is corrected to read:

**§2014. ~~Producer's surety bond~~ Producer with surplus lines authority may compensate another producer**

A licensed producer with surplus lines authority may accept and place surplus line business for any insurance producer licensed in this State for the kind of insurance involved, and may compensate the producer for the business.

**EXPLANATION**

This section corrects a headnote to reflect the subject of the section.

**Sec. 14. 24-A MRSA §2842, sub-§5**, as amended by PL 1989, c. 490, §3, is corrected to read:

**5. Exceptions.** This section shall not apply to employee group insurance policies issued to employers with 20 or fewer employees insured under the group policy or to group policies designed primarily to supplement the Civilian Health and Medical Program of the Uniformed Services, as described in ~~Title 10 of the United States Code, Title 10, Section 1072, subsection 4.~~

**EXPLANATION**

This section corrects a cross-reference.

**Sec. 15. 24-A MRSA §3362, sub-§2**, as enacted by PL 1969, c. 132, §1, is corrected to read:

**2. Not less than 10 days' written notice of the meeting shall be given.** Notice addressed to the insurer's members at their respective post-office addresses last of record with the insurer and deposited, postage prepaid, in a letter depository of the United States post office, shall be deemed to have been given when so mailed. In lieu of mailed notice, the insurer may publish the notice in such publication or publications as shall afford a majority of its members a reasonable opportunity to have actual advance notice of the meeting. The notice shall state the purposes of the meeting, and no business shall be transacted at the meeting of which notice was not so given.

**EXPLANATION**

This section corrects a clerical error.

**Sec. 16. 24-A MRSA §6204**, as enacted by PL 1987, c. 482, §1, is corrected to read:

**§6204. Withdrawal plan**

Any provider who has obtained a certificate of authority from the superintendent and who plans neither to renew existing agreements nor to offer new agreements shall submit a withdrawal plan to the superintendent at least 60 days prior to implementing its proposed plan. The plan shall include, but not be limited

to, requirements and procedures for meeting the provider's existing ~~contractual~~ contractual obligations, providing security in the event of a subsequent insolvency and meeting any applicable statutory obligations. The plan shall also comply with any further terms and conditions which are prescribed by rules adopted by the superintendent. The plan shall not be implemented without the approval of the superintendent.

**EXPLANATION**

This section corrects a clerical error.

**Sec. 17. 28-A MRSA §1071, sub-§6**, as amended by PL 2015, c. 214, §6, is corrected to read:

**6. Server requirements.** A manufacturer licensed by the bureau under section 1355-A, a certificate of approval holder or a wholesaler who provides malt liquor, wine, fortified wine or spirits for the public event or gathering being sponsored may serve its product at the event. An incorporated civic organization issued a license in accordance with this section shall provide the names of persons not licensed under ~~chapters~~ chapter 51, 55 or 59 who will be serving alcoholic beverages at the event. In the event that a server from that list is unavailable, a licensed manufacturer, distributor, wholesaler, small winery or small brewery that has provided alcoholic beverages to be served at the event may provide serving assistance.

**EXPLANATION**

This section corrects a clerical error.

**Sec. 18. 29-A MRSA §2411, sub-§1-A, ¶D**, as amended by PL 2013, c. 604, §2, is corrected to read:

D. Violates paragraph A, B or C and:

(1) In fact causes serious bodily injury as defined in Title 17-A, section 2, subsection 23 to another person;

(1-A) In fact causes the death of another person; or

(2) Has either a prior conviction for a Class B or Class C crime under this section or former Title 29, section 1312-B or a prior criminal homicide conviction involving or resulting from the operation of a motor vehicle while under the influence of intoxicating liquor or drugs or with an alcohol level of 0.08 grams or more of alcohol per 100 milliliters of blood or 210 liters of breath. For purposes of this subparagraph, the 10-year limitation specified in section 2402 and Title 17-A, ~~sub-section~~ section 9-A, subsection 3 does not apply to the prior criminal homicide conviction or to a prior conviction for a Class B or

Class C crime under this section or former Title 29, section 1312-B. The convictions may have occurred at any time.

**EXPLANATION**

This section corrects a cross-reference.

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**Sec. 19. 30-A MRSA §4741, sub-§12**, 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 corrected to read:

**12. Mortgage assistance payments.** Pursuant to the purposes of this Act to provide housing for persons of low income, the Maine State Housing Authority may make payments and binding commitments, subject to the authority's receipt of sufficient funds to honor these commitments from periodic appropriations from appropriate sources, to continue these payments if necessary over the life of the mortgage to mortgagors or to mortgagees on behalf of low-income persons to reduce interest costs on market rate mortgages to as low as 1%.

A. No commitment made by the authority under this subsection may be construed to commit the faith and credit of this State.

B. Persons benefiting from these mortgage assistance payments shall, according to guidelines to be included in the mortgage agreements, be required to pay a larger interest payment as their ability to pay increases;

**EXPLANATION**

This section makes technical corrections.

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**Sec. 20. 30-A MRSA §5048, sub-§1**, as enacted by PL 2005, c. 380, Pt. A, §2, is corrected to read:

**1. Provide leadership.** Provide leadership in efforts to end homelessness and provide support to the regional homeless councils by ensuring access to senior-level government officials and the Office of the Governor;

**EXPLANATION**

This section corrects a clerical error.

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**Sec. 21. 30-A MRSA §5951, sub-§2, ¶A**, 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 corrected to read:

A. The Treasurer of State who serves as a commissioner ex officio;

(1) The Treasurer of State may designate the Deputy Treasurer of State to serve in place of the Treasurer of State;

**EXPLANATION**

This section makes a technical correction.

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**Sec. 22. 32 MRSA §18344, sub-§1, ¶B**, as enacted by PL 2015, c. 429, §21, is corrected to read:

B. Verification of one of the following:

(1) A current certificate as a certified dental assistant from a board-approved certificate program;

(2) An active dental hygiene license in good standing issued under the laws of this State; or

(3) An active dental hygiene license in good standing issued under the laws of another state or a Canadian province; and

**EXPLANATION**

This section makes a technical correction.

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**Sec. 23. 34-B MRSA §1951, sub-§1**, as enacted by PL 2015, c. 266, §1, is corrected to read:

**1. Institution.** "Institution" means a public or private psychiatric institution licensed under Title 22, ~~chapter~~ chapter 404 or 405 to provide psychiatric services that fall under the jurisdiction of the department.

**EXPLANATION**

This section corrects a clerical error.

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**Sec. 24. 36 MRSA §2551, sub-§11**, as amended by PL 2015, c. 300, Pt. A, §31, is corrected to read:

**11. Private nonmedical institution services.** "Private nonmedical institution services" means services, including food, shelter and treatment, that are provided by a private nonmedical institution.

**EXPLANATION**

This section corrects a headnote to reflect the subject of the subsection.

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**Sec. 25. 36 MRSA §6851, sub-§8, ¶B**, as enacted by PL 1997, c. 449, §1, is corrected to read:

B. Whose income from that employment is taxable under ~~Title 36~~, chapter 803;

**EXPLANATION**

This section corrects a cross-reference.

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**Sec. 26. 38 MRSA §411, 4th ¶**, as enacted by PL 1991, c. 238, §2, is corrected to read:

For small individual projects, following a period of 90 days from the date of application for assistance under this section, or as ground conditions permit, the unavailability of financial assistance under this section does not relieve an applicant of an obligation to comply with the state water classification program, ~~Title 38~~, chapter 3, subchapter I, article 4-A or any other provision of law.

#### EXPLANATION

This section corrects a cross-reference.

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**Sec. 27. 38 MRSA §480-CC, sub-§2, ¶B**, as enacted by PL 2007, c. 290, §7 and affected by §15, is corrected to read:

B. Cutting or removal of vegetation within a feeding buffer is prohibited except as approved by the department for:

(1) Cutting or removal of vegetation that meets the vegetative screening standards set forth in ~~Title 38~~, section 439-A, subsection 6. In interpreting and enforcing these standards, the department shall rely upon the department's shoreland zoning rules regarding cutting or removal of vegetation for activities other than timber harvesting and apply the cutting standards applicable within 75 feet of a coastal wetland to the entire 100-foot feeding buffer; and

(2) Cutting or removal of vegetation determined to be necessary by the department in order to conduct other activities approved by the department pursuant to section 480-C and in accordance with the standards of this article and rules adopted pursuant to this article, including but not limited to avoidance, minimization and no unreasonable impact.

This paragraph may not be construed to limit a municipality's authority under home rule to adopt ordinances containing stricter standards than those contained in this paragraph.

#### EXPLANATION

This section corrects a cross-reference.

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**Sec. 28. 38 MRSA §1310-C, sub-§3**, as enacted by PL 1987, c. 517, §25, is corrected to read:

**3. New facilities.** The department shall ensure that the siting, design, operating and closure requirements imposed on new solid waste disposal facilities pursuant to this chapter and chapter 3, subchapter 1, article 6, site location of development, are consistent with the provisions of this article.

#### EXPLANATION

This section corrects a cross-reference.

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**Sec. 29. 38 MRSA §1319-I, sub-§4-B**, as amended by PL 1995, c. 642, §12, is corrected to read:

**4-B. Fee on hazardous materials transported by railroad.** Any person who transports more than 25 tons of certain hazardous materials as specified in this subsection at any one time by rail shall register annually with the commissioner. Fees for the transportation of hazardous materials by rail are imposed on the registrant who first transports the materials in the State by rail. Fees for the transportation of hazardous materials are determined by one of the following methods:

A. Fifteen cents per ton of hazardous materials transported by the registrant during the period of registration paid quarterly by the registrant on the basis of records certified to the commissioner; or

B. Twenty-five thousand dollars paid at the time of registration.

The registrant shall select the method of payment at the time of registration. Fees are paid to the department and upon receipt credited to the Maine Hazardous Waste Fund. A registrant selecting quarterly payments is automatically subject to the \$25,000 annual registration fee if the fee for any quarter has not been paid to the Maine Hazardous Waste Fund within 60 days after the fee becomes due. Hazardous materials subject to the requirements of this subsection are those substances listed in 49 Code of Federal Regulations, Part 172.101, Subpart B, 1994, except that, for purposes of this subsection, "hazardous materials" does not include oil as defined in ~~Title 38~~, section 542, subsection 6. The registrant shall make available to the commissioner and the commissioner's authorized representatives all documents relating to the hazardous materials transported by the registrant during the period of registration.

#### EXPLANATION

This section corrects a cross-reference.

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**Sec. 30. 38 MRSA §1455, sub-§4**, as enacted by PL 1999, c. 739, §3, is corrected to read:

**4. Compliance with applicable law; assessment of compliance.** A nuclear facility owner must obtain and be in compliance with all licenses, permits and approvals required under this Title, including, but not limited to, those required under chapter 3, subchapter 1, article 6 and chapter 13 for the site at which the decommissioning of a nuclear power plant is occurring or has been completed. In addition to its existing authority to require monitoring wells and other measures for nonradiological environmental issues under chapters 3, 13, 13-B and other applicable laws, the department may require radiological monitoring, use of monitoring wells, use of liners, soil sampling and other measures at the site to allow the department to assess

and ensure compliance with applicable requirements of this Title, including, but not limited to, subsection 2, and the terms of any licenses and permits issued pursuant to this Title with respect to the site.

**EXPLANATION**

This section corrects a cross-reference.

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**Sec. 31. PL 2015, c. 500, §2, sub-§§3 and 5** are corrected to read:

3. The work group ~~group~~ shall provide opportunities for the public and interested parties to provide input regarding the development of the school accountability system and shall give notice to the public and interested parties of the work group's meetings during which the public may provide information or feedback on the proposed models under consideration by the work group.

5. The Commissioner of Education shall submit an interim report on the review required by subsection § 4 and a final report on the review required by subsection § 4 to the joint standing committee of the Legislature having jurisdiction over education matters no later than January 15, 2017. The report must include the work group's findings and recommendations and any necessary legislation regarding the implementation of a school accountability system. The committee is authorized to report out a bill to the First Regular Session of the 128th Legislature related to the recommendations included in this report.

**EXPLANATION**

This section corrects a clerical error and cross-references.

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**Sec. 32. PL 2015, c. 500, §3** is corrected to read:

**Sec. 3. Rules.** In adopting the rules required under the Maine Revised Statutes, Title 20-A, section 6214 related to implementing a school accountability system consistent with the requirements of Title 20-A, chapter 222, the Department of Education shall adopt rules that are consistent with the recommendations of the work group convened under section 2 submitted as part of the report required under section 2, subsection 6 5. The department shall file provisionally adopted major substantive rules with the Legislature by the January 5, 2018 statutory deadline for the submission of major substantive rules to be reviewed by the Legislature.

**EXPLANATION**

This section corrects a cross-reference.

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**Sec. 33. P&SL 1977, c. 98, §6, 3rd ¶** is corrected to read:

If any person or corporation sustaining damages by any taking ~~as~~ as aforesaid and the water district shall not mutually agree upon the sum to be paid therefor, either party, upon petition to the county commissioners of Piscataquis County, may have those damages assessed by them; and the procedure and all subsequent proceedings and right of appeal thereon shall be had under the same restrictions, conditions and limitations as are or may be by law prescribed in the case of damages by the laying out of town ways.

**EXPLANATION**

This section corrects a clerical error.

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**Sec. 34. P&SL 1977, c. 98, §12** is corrected to read:

**Sec. 12. Procedure in case trustees and ~~Guilford-Snagerville~~ Guilford-Sangerville Water Company fail to agree on terms of purchase.** In case the trustees fail to agree with the Guilford-Sangerville Water Company upon terms of purchase, then the district, through its trustees aforesaid, is hereby authorized to take the properties, interest and franchises of the Guilford-Sangerville Water Company as set forth in section 11, in the manner hereinafter provided wherein the Guilford-Sangerville Water Company and its mortgagees, if any, or those having an interest in any realty which is of record, shall be the parties ~~defendent~~ defendant. The district, through its trustees, is hereby authorized to file a petition in the clerk's office of the Superior Court for the County of Piscataquis, addressed to any justice thereof who, after notice to the ~~defendent~~ defendant aforesaid, shall, after hearing and within 60 days after the filing of the petition, appoint 3 disinterested appraisers for the purpose of fixing the valuations of the plant, property and franchises of the Guilford-Sangerville Water Company described in section 11. The court may order under proper terms the production for inspection by the trustees or the appraisers of all books and papers pertaining to the issue on petition for the same by the petitioner, unless the same are voluntarily produced. The appraisers shall have the power to administer oaths. The appraisers so appointed shall, after due notice and hearing, fix the valuation as of the date of filing the petition of the plants, properties and franchises at what they were fairly and equitably worth so that the company shall receive just compensation for the same. The report of the appraisers or of a majority of them, together with the report of a stenographer certified by the appraisers as correct, shall be filed in the clerk's office within 6 months after their appointment and any Justice of the Superior Court may after notice and hearing confirm or reject the same or recommit it if justice so requires. Upon the confirmation of the report, the court so sitting shall thereupon make final decree upon the entire matter, including the application of the purchase money and transfer of the prop-

erty, jurisdiction over which is hereby conferred, and with the power to enforce the decree as in equity cases. All findings of fact by the court and the appraisers shall be final, but any party aggrieved may take exceptions as to any matters of law, the same to be accompanied by so much of the case as may be necessary to a clear understanding of the question raised thereby. These exceptions shall be claimed on the docket within 10 days after the final decree is signed, entered and filed and notice thereof has been given by the clerk to the parties and the exceptions so claimed shall be made up, allowed and filed within that time unless further time is granted by the court or by agreement of the parties. They shall be entered at the next term of the law court to be held after the filing of these exceptions and there heard, unless otherwise agreed, or the law court for good cause shall order further time for hearing thereon. On payment of tender by the district of the amount determined by the final decree and the performance of all other terms and conditions imposed by the court, the plant, properties and franchises of Guilford-Sangerville Water Company, as described in section 11, shall become vested in this district.

#### EXPLANATION

This section corrects clerical errors.

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**Sec. 35. P&SL 1995, c. 17, §1** is corrected to read:

**Sec. 1. Territorial limits; corporate name; purposes.** Subject to ~~section 16~~ section 15, the inhabitants and territory of that part of the Town of Franklin in Hancock County, comprised of the area starting at a point in West Franklin at the intersection of Grist Mill Stream and the tidewaters of Taunton Bay; proceeding easterly along the northern shore of Taunton Bay and Hog Bay to a point in East Franklin where the tidewaters of Hog Bay intersect Card Mill Stream; proceeding northerly along the western shore of Card Mill Stream to the intersection with the southern border of Lot 29, Map 7, Property Map of Franklin; thence proceeding westerly along the southern border of Lot 29 to its intersection with Route 182; thence diagonally in a southwesterly direction to the northwest border of Lot 66, Map 7; thence northwesterly along the northern border of Lot 66, Map 7, until its intersection with Lot 38, Map 6; thence westerly along the northern border of Lot 38, Map 6, to the intersection at the southeast corner of Lot 3, Map 9; thence northerly and westerly along the border of Lot 3, Map 9, until its intersection with Lot 4, Map 9; thence northeasterly and northwesterly along the border of Lot 4 until its intersection with Lot 4-1, Map 9; thence northerly and westerly along the border of Lot 4-1, Map 9 until the intersection with the Georges Pond Road; thence northerly along the Georges Pond Road until the intersection with the Bunkers Beach

Camp Road; thence northerly and westerly along the southern border of the Bunkers Beach Camp Road until the intersection of the southern border of Lot 41, Map 17; thence westerly along the southern border of Lot 41 until the intersection with the eastern border of Lot 40, Map 17; thence northerly along the eastern border of Lot 40 until the intersection with Georges Pond; thence westerly following the shore of Georges Pond until the intersection of the northeast corner of Lot 20, Map 9; thence westerly along the northern border of Lot 20 until the intersection of Lot 19, Map 9; thence southerly and westerly along the border of Lot 19 until the southwest corner of Lot 19, Map 9; thence westerly along the southern borders of Lots 4, 3, 2, 46, 42, Map 8 until its intersection with the Grist Mill Stream; thence following the eastern shore of Grist Mill Stream to the point of the beginning constitute a body politic and corporate under the name of "Franklin Utility District," referred to in this Act as the "district." The district is created and established for the purposes of supplying the Town of Franklin, its inhabitants and others of the district with potable water and sewage treatment and disposal services.

#### EXPLANATION

This section corrects a cross-reference.

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**SELECTED MEMORIALS AND JOINT RESOLUTIONS**

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**JOINT RESOLUTION  
RECOGNIZING THE 75TH  
ANNIVERSARY OF THE  
ATTACK ON PEARL  
HARBOR**

**S.P. 8**

**WHEREAS**, on December 7, 1941, without warning and minutes before 8 a.m., aircraft of the Imperial Japanese Navy and Air Force attacked United States military installations at Pearl Harbor and elsewhere on the island of Oahu, Hawaii; and

**WHEREAS**, the bulk of the attack at Pearl Harbor lasted for approximately 5 hours, during which 2,403 members of the United States Armed Forces were killed or mortally wounded, 1,247 members of the Armed Forces were wounded and 57 civilians lost their lives; and

**WHEREAS**, President Franklin Delano Roosevelt declared the day of the attack on Pearl Harbor "a date which will live in infamy," and the people of the United States became united in remembrance of their fallen countrymen and committed to defending the United States against all aggressors; and

**WHEREAS**, the following day, on December 8, 1941, Congress declared war against Japan and 3 days later against Germany, thus beginning the United States's involvement in a global conflict that would define a generation; and

**WHEREAS**, after nearly 4 years of warfare, on September 2, 1945, after victory on the European front, World War II ended with the Japanese surrendering aboard the USS Missouri; and

**WHEREAS**, on August 23, 1994, Congress enacted Public Law 103-308, which designated December 7th of each year as National Pearl Harbor Remembrance Day and requests the President to issue each year a proclamation calling on the people of the United States to observe National Pearl Harbor Remembrance Day with appropriate ceremonies and activities; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the First Regular Session, on behalf of the people we represent, take this opportunity to recognize the 75th anniversary of the attack on Pearl Harbor and the lasting significance of National Pearl Harbor Remembrance Day and to honor both those who survived the attack and all those who paid the ultimate sacrifice and

gave their lives in defense of freedom and liberty during World War II.

**Read and adopted by the Senate December 7, 2016  
and the House of Representatives December 7,  
2016.**

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**JOINT RESOLUTION  
RECOGNIZING RICHARD  
ROSEN'S SERVICE TO THE  
STATE OF MAINE**

**S.P. 594**

**WHEREAS**, the Honorable Richard Rosen, of Bucksport, graduated from the University of Maine with a degree in finance and, from 1982 to 2013, operated his family's store in Bucksport, Rosen's Department Store; and

**WHEREAS**, Mr. Rosen has served as a board member of the Retail Association of Maine, as President of Northeast Historic Film, as a trustee of Acadia Hospital in Bangor and as a board member for Bucksport Regional Health Center; and

**WHEREAS**, Mr. Rosen served in the Maine House of Representatives from 1998 to 2004 and in the Maine Senate from 2004 to 2012, for a total of 7 terms, and served as the Senate chair of the Joint Standing Committee on Appropriations and Financial Affairs for 2 years beginning in 2011; and

**WHEREAS**, Mr. Rosen was presented with the 2011 Adoptive and Foster Families of Maine Outstanding Legislative Advocate of the Year Award, received the Sunshine Award from Maine's Freedom of Information Coalition, was named a Margaret Chase Smith Policy Center Distinguished Maine Policy Fellow and received the Bangor Region Chamber of Commerce Catherine Lebowitz Award for Public Service; and

**WHEREAS**, Mr. Rosen served as Director of the Governor's Office of Policy and Management from December 2012 to February 2014; and

**WHEREAS**, Mr. Rosen served as Deputy Commissioner of Finance for the Maine Department of Administrative and Financial Services from February 2014 to June 2015 and as Commissioner of Administrative and Financial Services from June 2015 to June 2017; and

**WHEREAS**, as commissioner, Mr. Rosen oversaw more than 1,200 employees serving all branches and agencies of State Government and was responsible for budgeting and financial management, human resources and other administrative services; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the First Regular Session, take this occasion to recognize the dedicated service of Richard Rosen to the State of Maine.

**Read and adopted by the Senate June 21, 2017 and the House of Representatives June 21, 2017.**

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**JOINT RESOLUTION  
COMMEMORATING YOM  
HASHOAH, THE DAY OF  
REMEMBRANCE**

**H.P. 1032**

**WHEREAS**, from 1933 to 1945, 6,000,000 Jews were murdered in the Holocaust as part of a state-sponsored, systematic persecution and annihilation program of genocide, and millions of other people suffered as victims of Nazism, such as the handicapped, political dissidents and many others for racial, ethnic or national reasons; and

**WHEREAS**, the people of the State of Maine should always remember the atrocities committed by the Nazis so that such horrors are never repeated, and the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies and governments; and

**WHEREAS**, the people of the State of Maine should always remember those who liberated the Nazi concentration camps, some of whom lost their lives and others of whom have experienced lifelong emotional suffering, as holding an honored place in our history; and

**WHEREAS**, the people of the State of Maine should continually rededicate themselves to the principle of equal justice for all people, remain eternally vigilant against all tyranny and recognize that bigotry provides a breeding ground for tyranny to flourish; and

**WHEREAS**, the national community, pursuant to an Act of Congress, will be commemorating the week of April 17, 2017 to April 24, 2017 as the Days of Remembrance of the Victims of the Holocaust, including the Day of Remembrance, known as Yom HaShoah, April 24, 2017; and

**WHEREAS**, it is appropriate for the people of the State of Maine to join in this international commemoration, marking 72 years since the end of World War II and the liberation of the Nazi concentration and death camps; now, therefore, be it

**RESOLVED:** That We, the Members of the One Hundred and Twenty-eighth Legislature now assembled in the First Regular Session, on behalf of the people we represent, pause in solemn memory of the victims of the Holocaust and in honor of the survivors,

rescuers and liberators; that We urge one and all to recommit themselves to the lessons of the Holocaust through the international week of commemoration; and that We express our common desire to continually strive to overcome prejudice and inhumanity through education, vigilance and resistance; and be it further

**RESOLVED:** That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Holocaust and Human Rights Center of Maine and the United States Holocaust Memorial Council in Washington, D.C. on behalf of the people of the State of Maine.

**Read and adopted by the House of Representatives April 20, 2017 and the Senate April 25, 2017.**

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**JOINT RESOLUTION  
MEMORIALIZING THE  
UNITED STATES  
CONGRESS TO REDUCE  
TARIFFS ON LOBSTER AND  
SEAFOOD PRODUCTS TO  
KEEP MAINE AND  
DOMESTIC LOBSTER AND  
SEAFOOD PRODUCTS  
COMPETITIVE WITH  
CANADIAN LOBSTER AND  
SEAFOOD PRODUCTS**

**H.P. 1120**

**WE**, your Memorialists, the Members of the One Hundred and Twenty-eighth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the United States Congress as follows:

**WHEREAS**, the value of marine resources commercially harvested in Maine exceeded \$700 million in 2016, and the value of lobster harvested in Maine accounts for over \$533 million of that amount; and

**WHEREAS**, total exports from Maine to the European Union exceeded \$503 million in 2016; and

**WHEREAS**, exports from Maine of lobster to the European Union totaled approximately \$158 million, or approximately 80% of all lobster exported from the United States to the European Union, in 2016; and

**WHEREAS**, the European Union is the largest global fish and seafood market in the world; and

**WHEREAS**, Maine and Canada share the same lobster species and compete for market share in the European Union and around the world; and

**WHEREAS**, the European Union imposes tariffs on fish and seafood products that range from 2% on certain types of salmon to 20% on processed lobster imported from both the United States and Canada; and

**WHEREAS**, the Comprehensive Economic and Trade Agreement, or CETA, is a free trade agreement between Canada and the European Union that will reduce tariffs on fish and seafood products exported from Canada to the European Union; and

**WHEREAS**, CETA will go into effect on the first day of the month following the date the European Union and Canada notify each other that each has completed all necessary procedures for implementation; and

**WHEREAS**, when CETA takes effect, the 8% tariff on live lobster exports from Canada to the European Union will be immediately eliminated, the 6% to 16% tariff on frozen lobster exports from Canada to the European Union will be eliminated over 3 years and the 20% tariff on processed lobster exports from Canada to the European Union will be eliminated over 5 years; and

**WHEREAS**, while tariffs on lobster and seafood products exported from Canada to the European Union are being eliminated, tariffs on Maine and other domestic lobster and seafood products exported to the European Union will remain; and

**WHEREAS**, the elimination of tariffs on Canadian lobster and seafood products will increase trade between Canada and the European Union, resulting in economic injury to Maine and other domestic lobster and seafood harvesters and processors; and

**WHEREAS**, the impact of CETA on Maine lobster harvesters, who landed over 130 million pounds of lobster in 2016, should be minimized; and

**WHEREAS**, the impact of CETA on Maine lobster dealers, who support 675 jobs and paid \$28.4 million in wages in 2016, should be minimized; and

**WHEREAS**, under the United States Constitution, Article I, the Congress of the United States has the power to regulate commerce with foreign nations; now, therefore, be it

**RESOLVED:** That We, your Memorialists, on behalf of the people we represent, take this opportunity to respectfully request that the United States Congress, under the provisions of Article I of the United States Constitution, negotiate to reduce tariffs on Maine and domestic lobster and seafood products, or otherwise mitigate the effects of CETA, to ensure that historical, lucrative industries are not damaged by the economic disadvantage that will result from CETA unless these negotiations are undertaken; and be it further

**RESOLVED:** That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, to the Speaker of the United States House of

Representatives and to each Member of the Maine Congressional Delegation.

**Read and adopted by the House of Representatives  
June 12, 2017 and the Senate June 15, 2017, as  
amended by House Amendment "A."**

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**STATE OF THE STATE ADDRESS  
OF  
GOVERNOR PAUL R. LEPAGE  
FEBRUARY 7, 2017**

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Members of the 128th Legislature, distinguished guests, and my fellow citizens:

Let me begin by first recognizing a few individuals. To my lovely wife Ann and my children—please stand—I would not be here tonight without you. Ann, you have made Maine proud as our First Lady.

Allison Salsbury of Bar Harbor is here tonight with her daughter, Kathy. She is an elderly widow, and she knows about the hardships Mainers are facing.

To Technical Sergeant Christopher Ludden, the military herald this evening, thank you for your courageous service to our state and nation.

Ann and I are so grateful to all of our military and their families for their service.

I'm here tonight to speak to the Maine people about the future of our state. Our economy and our way of life are under attack.

Older Mainers who have worked their entire lives are losing their homes because of tax or utility bills—and many local governments condone it. Sadly, Maine Municipal Association defends it.

The taxes Mainers have paid all their lives fund the organization that throws them on the street. It has to stop. We must protect our elderly!

We must also protect younger Mainers. Our families are losing good-paying jobs. It's all because of a faulty ideology.

Maine was once renowned for its rugged individualism. Liberals are now trying to transform our state into a socialist utopia.

Utopia is an ideology—no amount of taxpayers' money can make it a reality.

We have made great strides in shrinking state government, but liberals continue to provide all things to all people free. "Free" is very expensive to someone.

As Franklin D. Roosevelt said during his Annual Message to Congress in 1935:

"The lessons of history, confirmed by the evidence immediately before me, show conclusively that continued dependence upon relief induces a spiritual and moral disintegration fundamentally destructive to the national fiber.

"To dole out relief in this way is to administer a narcotic, a subtle destroyer of the human spirit. It is inimical to the dictates of sound policy. It is in violation of the traditions of America."

It was true in 1935, and it is true in 2017. Liberals have not learned from history. They have just changed tactics. They are doing an end run around the Legislature by highjacking the citizens' referendum process.

They say they are helping low-income Mainers by raising the minimum wage and taxing the so-called "rich." But they are harming our economy. We are losing doctors, dentists, psychiatrists and other professionals we so badly need. They are harming small family businesses. They are harming low-income workers. Even worse, they are harming our elderly.

Successful people are not the problem; they are the solution. They create jobs.

They pay the most in sales, excise, income and property taxes. They already pay two-thirds of the tax burden in Maine.

Taxing them out of Maine does not help our economy—it harms it.

It is harmful to lay off employees. It is harmful to put your local restaurant out of business. It is harmful to drive our elderly deeper into poverty.

Liberals from Southern Maine never go to Calais or Machias or Rumford or Fort Kent. But I do. I see the elderly living in poverty.

## STATE OF THE STATE ADDRESS

I see how Maine families are struggling. Our industries are laying off hard-working Mainers or leaving the state.

Madison Paper, Verso in Bucksport, Verso in Jay, Lincoln Pulp and Paper, Millinocket and East Millinocket and Old Town—just to name a few.

We need to help our families, not harm them. My budget has a theme: Do No Harm. I am asking you to join me—Do No Harm! Our citizens voted to raise the minimum wage. They also voted to “tax the rich.” I get it. But they did not read the legislation behind the ballot questions. They didn’t know it would destroy our fragile economy.

We reduced the unfunded pension liability. We improved our credit rating. We paid the hospitals!

We built the Budget Stabilization Fund from nearly zero to \$123 million. It could have been \$300 million, if we had the will to be just a bit more fiscally responsible.

We reduced the structural gap from \$1.2 billion to \$165 million. For the first time since 2005, we had positive cash flow at the end of the fiscal year.

We have lowered the income tax from 8.5 percent to 7.15 percent. During this period, revenues started to increase. Wow, imagine that—signs of prosperity.

Under my administration, Maine has been moving forward. To paraphrase Ronald Reagan: Free enterprise has done more to reduce poverty than all the government programs dreamed up by liberals.

Liberals are making the Legislature irrelevant and going straight to referendum. We need to reform our referendum process.

**TAX REFORM** Rich, out-of-state unions and progressive groups are moving us backwards. They spent millions to hit us with the second-highest income tax in the country.

California’s highest tax rate kicks in at \$1 million of income. Maine’s starts at \$200,000 household income. California is a wealthy state.

It is 18th on the Family Prosperity Index—Maine is 44th. We cannot afford this tax.

## SELECTED ADDRESSES TO THE LEGISLATURE

We must help Maine families achieve prosperity—not shatter their American Dreams with high taxation, high energy costs and an underperforming education system.

Eliminating the income tax is the biggest pay raise Mainers could get—but there is no political will to promote prosperity in Augusta.

My budget counteracts the damage from the 10.15 percent income tax. It is designed to do no harm.

By 2020, Maine’s income tax will be set at 5.75 percent for all Maine families. We must keep lowering the income tax until it is gone!

My budget lowers corporate taxes, broadens the sales tax and eliminates the death tax. The non-partisan Tax Foundation called my tax plan “a recipe for a more competitive state.”

It cuts taxes, welcomes professionals and allows families businesses to thrive. It does no harm!

**MINIMUM WAGE** As written, the law to raise the minimum wage will wreak havoc. Mainers did not read the 32 pages of legal jargon behind the ballot question.

If the question asked Mainers to slash the pay for their favorite server, they would have said no.

If it asked them to increase the cost of everything their grandparents buy, they would have said no.

Let’s be clear: I am not opposed to a higher minimum wage. But I would rather talk about career wages. Liberals always aim low—they want to raise the starter wage.

I don’t want to create more 9-dollar-an-hour jobs. I want to create 29-dollar-an-hour jobs.

The minimum wage law will be devastating to the restaurant industry. Menu prices will increase dramatically to cover the new labor costs.

It will eliminate the tip credit for employers, which will end tipping as we know it.

Restaurant servers who now make \$20 to \$30 an hour will get \$12 an hour with much lower tips—if any. This promotes poverty—not prosperity.

This law will prevent teens and low-skilled workers from getting jobs. Employers will not pay \$12 an hour for a kid with no work experience or someone with no skills.

Higher prices will push the elderly deeper into poverty. 358,000 Mainers on fixed incomes won't get a raise. They cannot afford higher prices.

The minimum wage will go up \$4 an hour, but the average increase in Social Security is just \$4 a month.

Indexing is even worse. It means the minimum wage will go automatically every year—even in a recession.

We got rid of indexing for the gasoline tax because the tax kept going up, even after gas hit \$4 a gallon during the Great Recession.

We already have an employee shortage across the state. Most places already pay more than a minimum wage. It was never supposed to be a living wage.

It is used as a starter wage and for those who cannot work at 100 percent capacity.

Make no mistake, this is not about economics. It is about a socialist ideology—the same kind that has failed in Greece, Venezuela and other countries.

Liberals only care about ideology. They don't care about raising prices on your grandparents. They don't care if your teen can't find work or mentally disabled people lose their jobs.

They don't care if they slash the pay for a single mother working as a waitress from \$20 to \$12.

ELDERLY This budget protects the people liberals consider expendable. They have forgotten the elderly.

They have forgotten the disabled and those with intellectual disabilities. It seems that whenever the Governor proposes to help the elderly or the mentally and physically disabled, it gets killed in committee.

That's why the Maine people and the American people say government is not working. I don't care who gets

credit for helping them. We just need to get it done for the Maine people.

Patrick and Janet Caskin of Litchfield wrote to me to say their daughter Katie is still on a waitlist for intensive home support. She has an intellectual disability. She has been on the Section 21 waitlist for five years.

Two years ago, my budget paid for the entire Section 21 waitlist. If the Legislature funded my initiative, Katie would be getting full-time care today.

But liberals have forgotten Mainers like Katie. She is not a priority for them.

Liberals only funded one-third of the waitlist. They spent the rest of the money on welfare for able-bodied, non-citizen asylum seekers.

They don't care about our elderly or the physically and mentally disabled. I do. When it comes to our most vulnerable citizens, I will do no harm!

We have realigned the welfare system and the Medicaid program to prioritize the elderly and those with all forms of disabilities.

As Ronald Reagan said: "We should measure welfare's success by how many people leave welfare, not how many are added." Able-bodied Mainers between 19 and 50 need to get off welfare. Get off the couch and get a job!

Our limited resources are helping our most vulnerable. In our budget, elderly and disabled Mainers make up more than 40 percent of MaineCare—an increase of 35 percent since 2011.

In Fiscal Year 2019, the elderly and disabled will make up 45 percent of MaineCare.

My budget includes more than \$30 million to help with increased costs for Medicare Part B and Part D. We also need to eliminate the income tax on retired pensioners. We provide tax relief to low-income and elderly homeowners with the Property Tax Fairness Credit.

This should help elderly Mainers like Juliet Nyholt of Solon, who has been struggling to pay her taxes. In

## STATE OF THE STATE ADDRESS

1986, her taxes were \$300—now they are over \$2,000. This is wrong.

No Mainer should be taxed out of their home—especially when environmental groups are taking hundreds of millions of dollars' worth of land value off the tax rolls.

Communities and the Maine Municipal Association may do things right—they follow the law regarding tax liens and foreclosures. But they should do the right thing—help our elderly stay in their homes.

It is unethical and immoral to take away a senior citizen's home. They lose all the equity they built up during their lives. They end up on the street.

Richard Sukeforth, an elderly veteran, and his wife, Leonette, lost their home in Albion after the town seized it for back taxes. They were thrown out with no place to go. He is here with his daughter, Yvette.

I'm pleased to announce Adria Horn of our Bureau of Veterans Services jumped into action and discovered he was eligible for VA benefits.

Mr. Sukeforth is now getting almost \$1,200 a month. This is how we should treat our elderly!

**OPIOID CRISIS** We are also addressing the opioid crisis that is ravaging our state.

We have been urging the Legislature to take action for years, but many have been dragging their feet.

They held up our efforts to hire more MDEA agents for two years—God only knows how much heroin poured into our state during that time.

Back then, heroin was killing 5 Mainers a week. Now it's over 7.

MDEA seized 8 pounds of heroin in January—that's almost 50,000 deadly doses of heroin mixed with fentanyl. It was the largest seizure of heroin in the state's history. It saved thousands of lives. Law enforcement works.

But liberals don't care about law enforcement efforts to stop out-of-state drug dealers from selling their poison to Mainers.

## SELECTED ADDRESSES TO THE LEGISLATURE

They simply want to throw money at treatment programs. They don't identify which programs the money should go to—they just want the headlines to say they are doing something. We are doing something. Strong financial management at DHHS has allowed us to budget an extra \$2.4 million in funding for opioid-addiction treatment for the uninsured.

This money will fund 359 openings for therapy and medication-assisted treatment for uninsured Mainers afflicted by the heroin and the opioids—immediately.

Seven Mainers a week are being killed by deadly opiates. Three babies a day are born afflicted by or addicted to drugs. This drug epidemic is killing our young people.

**EDUCATION REFORMS** Liberals haven't just forgotten our elderly. They have forgotten our children, too.

Out-of-state teachers' unions spent millions on a referendum to tax the so-called "rich."

We do not need more money for education—we need more accountability in education.

Only 59 cents of every dollar spent on education in Maine makes it into the classroom. The national average is 64 cents. Our children deserve more!

This attempt to "tax the rich" will drive successful people out of Maine. Only 10 percent of taxpayers pay two-thirds of the tax burden in Maine. By chasing them out of the state, liberals will generate less money for education—not more.

We are seeking accountability and efficiency in education funding. Instead of spending money on a top-heavy administrative structure, we direct it where it is needed most: our students and our underpaid teachers.

This budget enables communities to form regional education systems to reduce administrative costs.

More importantly, this budget sets the stage for a statewide teacher contract. This contract will increase the base pay for teacher salaries and increase access to quality teachers throughout Maine.

Good teachers in rural Maine are lured away by wealthy communities that pay more.

This needs to stop. Teachers in rural Maine should get the same pay as teachers in wealthy towns. All Maine children deserve good teachers!

We also need to stop double-dipping, and we need to pay effective teachers what they are worth. Gimmicks like double-dipping will come to haunt our education system. We need to replace the unsustainable age imbalance and let young teachers enter our school system.

We are also reducing the cost of higher education. We have increased funding to the University of Maine System, the Maine Community College System and Maine Maritime Academy to help control tuition cost.

We want to make it easier for young people to stay in Maine. I will once again propose funding for zero-interest loans for all higher ed students who decide to live and work in Maine.

Business owners who help pay off student loans should be able to write it off quickly—not over 20 years.

#### ENERGY

Young people need good jobs. Businesses need all the help they can get to stay competitive and create good jobs.

The PUC's decision on net energy billing is the latest example. It raises rates on elderly and poor Mainers to subsidize solar panels for affluent people.

This rate hike was pushed by environmentalists, special interests, the public advocate and some Legislative leaders. Rather than protect Maine ratepayers, the PUC caved to special interests.

I have no problem if wealthy people with solar panels are paid for the excess electricity they generate. However, they should not be paid for the transmission and distribution of the excess power.

The PUC ruled Mainers will pay for the excess generation, as well as the transmission and distribution of the excess power. But Emera and CMP will also

charge the ratepayers to transmit and distribute this excess electricity.

Ratepayers are being charged twice so people who put solar panels on their roof can recoup their money faster. Our elderly, our poor and our most vulnerable Mainers should not be subsidizing people who can afford to install expensive solar panels.

The wealthy solar industry will line its pockets on the backs of hardworking Mainers—not to mention our poor and most vulnerable who can least afford it.

We should be able to agree on a sensible energy policy. We should provide the most affordable energy that does the least harm to the environment.

I ask the Legislature three questions:

1. Should we lower energy costs?
2. Should we lower carbon dioxide levels in the most cost-effective manner?
3. Should we reduce our demand for oil?

If we agree the answer to all three is “yes,” then we can become a state that supports job creators and protects the environment.

But liberals continue to support their favorite—and very expensive—forms of renewal energy. They have no political desire to reduce rates for Mainers.

Our energy costs have gone from 12th highest in the nation to 11th highest. We are going backwards.

Liberals continue to deny the harm they are doing to our job creators and our economy. Put very simply, higher rates leave less money for higher wages.

**CONCLUSION** We are trying to attract small businesses and successful young professionals. We need creative innovators with an entrepreneurial spirit.

We must keep our families here and attract new families from other states and countries. We must give our young people a reason to stay in Maine.

We have worked hard to reduce spending and limit the growth of government. It has not been easy.

## STATE OF THE STATE ADDRESS

When writing about American Presidents, Andy Jones said: “Whenever government in general is smaller, the people have more say over their own lives, and the nation becomes more prosperous.”

We are trying to make Maine more prosperous. It takes courage. We were elected to make tough decisions for the hard-working taxpayers and the forgotten Mainers—not just lobbyists and special interests.

## SELECTED ADDRESSES TO THE LEGISLATURE

We are here to make sure our progress is not rolled back by poorly thought-out referendums. We are here to do no harm. Over the next two years, I hope we can work together to set Maine on the path to future prosperity.

I ask you, the members of the 128th Legislature, to join me in protecting our economy, our families, our small businesses and, most importantly, our elderly.

Despite the challenges facing us, I ask you to move Maine forward—not backward. I ask you to do no harm.

Now, let’s get to work!

Paul R. LePage  
Governor

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**STATE OF THE JUDICIARY ADDRESS  
OF  
CHIEF JUSTICE LEIGH INGALLS SAUFLEY  
FEBRUARY 16, 2017**

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**MAINE JUDICIAL BRANCH  
THE STATE OF THE JUDICIARY  
A Report to the Joint Convention of the First  
Regular Session  
128th Maine Legislature**

**MANAGING IN A TIME OF CHANGE**

**Presented by Chief Justice Leigh I. Saufley  
February 16, 2017**

President Thibodeau, Speaker Pro Tem Herbig, and Honorable Members of the 128th Maine Legislature, good afternoon, and thank you so much for finding a way to fit this presentation into your very challenging schedule. It has been a hard winter, and I so much appreciate your efforts.

It is an honor, as always, to be invited to address this joint convention of the Maine Legislature.

I am accompanied today by my amazing husband of 36 years, Bill Saufley, who consistently accommodates my scheduling changes with great humor. My parents, Jan and Dick Ingalls, would have been here, but I convinced them not to travel, so they are watching at home in South Portland, thanks to your terrific technology.

I am also accompanied by my wonderful colleagues from the Supreme Judicial Court and the new Chief Judge of the District Court who you will hear a bit more about in a minute.

The extraordinary people in the Maine Judicial Branch are working very hard to meet shifting public needs, and my presentation today will focus on those CHANGES.

But as we talk about changes, it is important to anchor our discussions in the bedrock principles of good government. This Joint Convention, where the Chief Justice is invited by Legislative leadership to present a report on the State of the Judiciary, represents a tradition of good government that we all value highly.

And this year is an important milestone in this great tradition.

Forty years ago, in 1977, Chief Justice Armand Dufresne, Maine's first Franco-American Chief Justice, delivered the very first State of the Judiciary. So, for four decades, broken only by two years in the early '80s, Chief Justice Dufresne, Chief Justice McKusick, Chief Justice Wathen, and I have had the honor of an annual invitation to address the joint houses of the Maine Legislature.

I emphasize this history because we do not take this tradition for granted. It does not happen in every State, and the benefits of formal communication between the separate, but equal, branches of government cannot be overstated.

So very much has been accomplished in the last decade because of the work that we have all done together for the people of Maine.

With great traditions anchoring our work, my focus today is

CHANGE in the pursuit of improved public service.

To be clear, there has been no change in the mission of the Judicial Branch.

*To administer justice by providing a safe, accessible, efficient and impartial system of dispute resolution that serves the public interest, protects individual rights, and instills respect for the law.*

But changes in society, changes in technology, and changes in the public's expectations of government require us to evolve consistently in the way we fulfill that mission.

Today I will update you on:

- Changes in the leadership of the Trial Courts;
- Changes in the Infrastructure of the Courts;
- Changes in the delivery of justice to families in Maine;
- Changes in the processing of Criminal Cases, including
  - o Fines and Bail,
  - o The Addiction Crisis, and
  - o Domestic Violence.

And finally, I will have two requests for you.

**CHANGES IN TRIAL COURT MANAGEMENT**

The first of the changes is in the leadership of the Trial Courts.

The Chief Justice of the Superior Court and the Chief Judge of the District Court are positions created by statute. We have now established that they will serve three year terms, renewable once.

The Chiefs are responsible for the operations of the trial courts, and they must assure that the trial courts are responsive to the needs of the public.

These judicial leaders must have the respect of their colleagues and the legal profession. They work very long hours, filling both roles of judges and managers.

**Chief Justice Roland Cole** is the new Superior Court Chief. He has an extraordinary history as a Maine Trial Judge, but, unfortunately, he had a family emergency, and I will introduce him to you at another time.

**Chief Judge Mary Kelly** has taken over as the Chief of the District Court. As Judy Harrison of the Bangor Daily News wrote, Judge Kelly grew up just 12 miles east of Bangor: Bangor Erris, in County Mayo, Ireland, that is.

Chief Judge Kelly came to Maine from Ireland as an exchange law professor in 1987. She found Maine to be such a wonderful place that she stayed on, becoming an American citizen in 1990.

Chief Judge Kelly has worked in the Legislature's Revisor's Office, in the Attorney General's Office handling child support and child protection cases, and in the District Court as a Family Law Magistrate. In 2010, she was appointed to the District Court. She is well respected by her colleagues and is already beginning to make her mark in improved public service.

**CHANGES IN JUDICIAL BRANCH INFRASTRUCTURE****CMS eFiling**

Next, I am very pleased to provide an update on a monumental change made possible by the three branches of government working together to make the courts more efficient, responsible, and accessible.

The digital world is coming to the Maine Courts.

Working with Tyler Technologies, a company with a significant Maine presence, we expect to implement the new Case Management System first in the Violations Bureau, which handles between 85,000 and 100,000 traffic cases statewide each year. Penobscot and Piscataquis Counties will be the first courts where the full digital system will be implemented in 2019.

Moving from a paper-based court system to an electronic one will revolutionize the way we do business.

- The new system will allow 24/7 access by litigants from anywhere in the world that is connected to the Internet.
- Members of the public will not need special programs to access their cases.
- Interactive court forms will assist unrepresented litigants to initiate and process their cases.
- The system will greatly improve access, efficiency, and transparency for all involved with the court system.

Recognizing that broadband access is not yet equally available in all areas of the state, our plans include public kiosks in the courthouses, to make sure that all members of the public benefit from this improvement.

We have much work ahead of us to implement a system that, while transparent and accessible, must also protect personal privacy and guard against identity theft. To address this challenge, we are about to launch the new Task Force on Transparency and Privacy that will include a broad array of stakeholders.

I am grateful for the bipartisan support that is making all of this possible. Governor LePage steadfastly supported funding for the new technology, as did the Legislature, including Leadership in both parties, especially the Judiciary and Appropriations Committees, and Representative Fredette, who first got the ball rolling six years ago as a freshman member of the Appropriations Committee.

**Safer, Modern Courthouses**

The state's aging courthouses are also benefitting from much-needed changes.

Those of you who are veteran Legislators have heard me bemoan the physical facilities of the Maine courts. But with the bipartisan support of both the Governor and the Legislature, we continue to make steady improvements to Maine's courthouses. Without sacrific-

ing rural access to justice, we have reduced the number of separate court buildings from 47 to 36, and in the process, we have improved safety and access in many counties.

In 2016, after legislation was approved by the 127th Legislature, we began work toward improved facilities in York, Oxford, and Waldo counties.

We will improve or replace eight inadequate buildings with three efficient, handicapped accessible, and vastly safer courthouses that will improve the delivery of justice for generations to come. I want to thank the Governor, President Thibodeau, and former Speaker Eves for their support.

And I especially want to thank the four members of the 127th Maine Legislature who gave so much time to the legislatively created Site Selection Commission for the York County Courthouse:

Senator Ron Collins,  
Former Senator Linda Valentino,  
Representative Bob Foley, and  
Representative Ann Marie Mastraccio.

Thank you all for your time and energy.

### **Improvements in Access to Justice**

So, with improvements to buildings and technology, access to justice is getting better every year, except for one critical aspect:

litigants too often cannot afford lawyers to help them with their legal problems.

We still have a way to go to ensure that everyone in court is assisted by capable counsel. There is a constitutional right to a lawyer in criminal proceedings, but too many Maine people are not able to afford a lawyer for the civil proceedings that may affect their families, their livelihoods, housing, and healthcare.

But the good news is that Maine lawyers continue to give generously of their time and money to assist their fellow-Mainers in need.

- The Campaign for Justice raised over \$600,000 from Maine lawyers and judges to make free legal services available to the poor.
- In addition to donating money, Maine lawyers participating in the Katahdin Program donated over 11,000 hours of free legal work, with a market value of approximately \$1.7 million.

- In 2016, with the assistance of the New Lawyers Section of the Maine State Bar Association, 22 local libraries participated in the Lawyers in Libraries Program, where people could find legal help right in their own communities.
- The Civil Legal Services Fund, which you—the Maine Legislature—established, provided over \$1.4 million to legal service providers to assist the elderly, low income parents, the disabled, and victims of domestic violence, along with many others in need.

We absolutely must do more, but I am grateful to you and to the many lawyers who have voluntarily stepped up to help those in need.

## **FAMILY DIVISION CHANGES**

### **1. Home Court**

Turning now to the changes in the actual case processing, I want to thank both the Legislative Branch—the 127th Legislature, and the Executive Branch for passage of L.D. 890, *An Act To Ensure a Continuing Home Court For Cases Involving Children*.

Prior to passage of this bill, many cases involving the same children were split between the State District Courts and the County Probate Courts. A child protection case would proceed in the District Court, but any adoption, guardianship, or name change involving the same child would have to be handled by the County Probate Courts.

Imagine having to navigate two separate court systems, separate clerks, separate judges, separate rules of procedure, often even in different buildings, all regarding issues affecting the *same* child, the *same* family? It was difficult; it was more complicated than it should be; and it did not serve children and families well.

Working diligently over two sessions of the 127th, the Judiciary Committee found a way to address the challenges, and the Executive Branch found a way to fund the proposal. The new law, allowing families to proceed in one court—the District Court—went into effect in July 2016.

Today, I am pleased to report wonderful progress in the seven months since the bill went into effect. As of last Friday, 173 adoptions, 50 guardianships, and 5 name changes, all involving families and children in

District Court cases that would have required *separate* case filings in the Probate Courts, were completed expeditiously, and exclusively, in the District Courts.

These improvements would not have happened without the commitment of:

- The sponsor, Rep. Kim Monaghan,
- Co-sponsor Speaker Gideon,
- The Judiciary and Appropriations Committees, and
- The Executive Branch.

I am also grateful to:

- Justice Ellen Gorman,
- Chief Judge Kelly,
- The Probate Judges, especially Judge Carol Emery, and
- A host of lawyers and District Court Judges who assisted in rapidly creating new rules to assure the expedited processing of the cases.
- Professor Deirdre Smith, who heads the Cumberland Legal Aid Clinic, deserves special mention for her advocacy for this legislation.

Those 173 adoptions represent a concrete example of how, when we work together, we can find solutions that make government work better for Maine people.

## 2. Guardian ad Litem Changes

In another area of change, bringing improvements for Maine families, Chief Judge Mary Kelly has this week delivered a report to the Judiciary Committee regarding changes and improvements in the delivery of guardian ad litem services.

The GAL report describes several years of work in the Legislature and then in the Judicial Branch, which resulted in many substantial changes, including:

- the adoption of clearer standards of conduct for GALs;
- improved training;
- precise billing limits that must be set before any work is done;
- creation of the 12-member Guardian ad Litem Review Board, which is a complaint process independent of the Judicial Branch; and
- an evaluation process for consumers of GAL services upon completion of their cases that will provide feedback on how well the improved system is working for families.

We have also updated the Judicial Branch website to include more information about GAL services. Although my summary here today is relatively brief, these changes were the culmination of a four-year effort to improve the delivery of GAL services, and you can read the complete report on line at the Judicial Branch website.

And finally, regarding family and civil cases, we have several new process improvement projects in the works. I am very proud to announce that we recently received news of a grant funding award from the State Justice Institute to help us undertake a significant new effort to improve the way we process civil and business cases. Grants were awarded to only three states across the country. More on that in the months to come.

## CHANGES IN CRIMINAL CASE PROCESSING

I turn now to some of the most pressing problems in our State—affecting several different aspects of our Criminal Justice system.

And in keeping with my theme, I am pleased to tell you that some of the changes that have been accomplished or are in the works have been encouraging. But we are far from finding the answers to too many of the challenges.

So let's begin with some good news.

### Reduced Criminal Case Backlogs

Last year, having completed the redesign of the criminal dockets into a single unified process, we moved to the next step—reducing the backlog in the criminal dockets. And, with your help, the results have been excellent.

You all know the saying, “Justice delayed is justice denied.” Witnesses become unavailable and even die, memories fade. Crime victims, the public, and mistakenly or wrongfully charged defendants are not well served when cases are delayed.

In 2016, you approved funding to allow the trial judges to increase the availability of jury trials and to provide overtime so that our clerks and marshals could work the necessary additional hours to address that backlog.

I am pleased to report that that effort was successful.

- In Fiscal Year 2016, the intense focus on criminal cases resulted in a 61% decrease in active pending cases over one year old, and
- a 49% decrease in active pending cases over nine months old.
- That is statistical jargon for this result:
  - Cases are being reached much more quickly.
  - New criminal charges can be resolved without delay.

This took a great deal of focused effort on the part of everyone involved.

I want to take this opportunity to recognize the great work that was done, not just by the Judges and court employees, but also by the defense lawyers and the District Attorneys, all of whom stepped up to make this a priority.

And many of the real heroes in this story are the hundreds of Maine citizens who respond to the call for jury duty. They often give up a day's or a week's pay, leave their homes and families, struggle with parking, and then are called on to make some of the most important decisions in the court system. We all owe them a debt of gratitude for their service. We could not have been successful without them.

### Changes in Fines and Bail

Another area where positive changes have begun is in the collection of fines and the analysis of our current bail system.

A group of judges and staff, led by Justice William Anderson, has undertaken a complete review of Maine fine collection procedures. In order to assure that we do not have impoverished Mainers placed in difficult situations, clarified procedures and new forms will be promulgated that will assure that everyone who is convicted of a crime and ordered to pay a fine understands clearly:

- The amount due,
- When the fine must be paid,
- What to do if they cannot meet the deadline, and
- Who to talk to if that happens.

While these clarified procedures will help, I continue to suggest that a meaningful, well-supervised, substantive public service program, particularly when

combined with a restorative justice component, could provide an excellent option for accountability in place of mandatory fines.

### Bail Reform

Next, with regard to Bail Reform, I am here with a mea culpa. Last session I told you that I hoped to present a proposal this year for updating our antiquated bail system. In recent years, we had received a proposal for a new bail system that would cost the General Fund an estimated additional \$4 to 5 million a year. I told you that I thought it could be done for much less—that we could find a way to reduce the costs and still provide a much-needed update for the system.

We do not yet have a proposal that I believe is sufficiently fiscally prudent to present to you. I hope to return next session with an improved plan.

And now I turn to the two areas of criminal justice where change is desperately needed, but the answers are not yet clear.

### Opiate Addictions

I begin with the Opiate/Heroin epidemic. I will echo much of what you heard from the Governor last week, but I believe it is worth repeating.

Attorney General Mills has provided us some horrifying statistics.

- The drug overdose deaths in 2016 were up again—**378 human beings lost their lives to a drug overdose last year in Maine.**
  - In a minute, I am going to talk with you about homicides in Maine, and one of the statistics you'll hear is that there were 258 homicides in Maine *over a ten-year period.*
  - Compare that number with 378 overdose deaths in just one year.
  - There were **more overdose deaths in one year than there were homicides in a decade.**
- Even more frightening, in 2016 there were **2,380** administrations of Narcan—up from 1,565 in 2015.
- And—the saddest number of all—there were **1,024 drug affected babies** born in 2016, up from 1,013 in 2015. As the Governor described it, that

is just about three babies a day who start their lives in such a horrible way.

We see the effects of heroin, fentanyl, and now car-fentanyl in every case type. Not just criminal cases. These addictions affect families, businesses, and schools.

People often ask me the same question they are asking you:

What can we do to stem this tide?

And I only have one answer. You've heard it before.

We have to do EVERYTHING.

- We must stop the drugs from coming into Maine.
- We must provide robust prevention programs.
- We must have real and meaningful treatment quickly available.
- We must have housing for people who have lost everything.
- We must understand treatment in terms of months and years, not days and weeks.

You and the Governor are already hard at work addressing many of these issues. You addressed the prescription medicine gateway last session, and discussions regarding treatment resources are well underway.

In the Judicial Branch, we are rethinking drug courts. Last year, we reestablished the Bangor Adult Drug Treatment Court, and with that addition, there are now six Adult Drug Treatment Courts along with a Co-Occurring Disorders Court and a Veterans Court.

Sadly, drug courts can reach only a small percentage of people plagued with drug addiction.

- There were 52 graduations in 2016—52 people who successfully stayed clean and sober and were released from active judicial supervision.
- Statewide, approximately 247 people are currently in adult drug courts.
- In a State where 358 people died of overdoses in one year, we cannot delude ourselves that drug courts alone will make a difference.

I have therefore asked Justice Nancy Mills, whose vision and relentless hard work helped create the extremely successful Veterans Court here in Augusta, to step up and take over the Drug Court Steering Committee.

I am grateful that Justice Mills said yes, and already her presence is felt. In March, just weeks away, she has arranged for national experts to come to Maine to meet with all of Maine's Drug Court Judges and Teams and the Trial Court Chiefs for an intensive two-day session, to bring them up to date on what actually *works* with these pernicious addictions.

We know that we must consider updated models for the Drug Courts and for the criminal and family dockets much more broadly.

- Re-entry programs for people leaving incarceration are beginning to show real promise.
- Diversion programs, which can help people avoid lengthy incarceration, must be consistent in providing up-to-date treatment options, and simultaneously requiring personal accountability.
- Wrap-around programs that involve families, housing, and jobs may provide another answer.

None of this is cheap, but nothing is more expensive than allowing our State to sink further into the horror and sadness of an addiction crisis.

### **Changes in the Way We Address Domestic Violence**

Moving now to another difficult topic, this year, I requested two separate reviews of the ways our system of justice addresses domestic violence.

The first review took a deep look at a single recent case in which one victim died and one was badly wounded.

The second review was designed to give us a much broader analysis. For this review, I am grateful to the Attorney General's Office for its assistance and data. Our researcher looked at every murder in Maine over a ten-year period, searching for patterns and places where we could all have done a better job in protecting vulnerable Maine people from domestic violence.

Here are just a few important points:

- From 2006 through 2016, 258 people were victims of homicide in Maine.
- From the records provided, the researchers identified 126 of the deaths as related to domestic violence. In other words, almost one-half of the homicides result from domestic violence.

In the 126 domestic violence related homicides:

- Most of the perpetrators, 88%, were male.
- The victims were more evenly divided: 43% male, and 57% female.
- About half of the 126 homicides took the lives of a spouse or intimate partner.
- 20% of the victims were children.
  - 26 children died as a result of domestic violence in that ten-year period.
  - 14 of those children were only a year old or younger.
- And, this is what led me to ask for the analysis, far too many of the victims never sought help from the courts.
  - As far as we can tell, 75 of the 126 victims, just about 60%, did not have any meaningful contact with the Maine courts before they were killed.
- In the specific case review, we also learned that, in important bail review and sentencing proceedings, no criminal records checks in Maine or nationally were requested by law enforcement. This practice left judges, attorneys, and advocates with serious gaps in critical information.
- In many instances, the applicable ODARA risk analysis, which you mandated by law to be completed in particular crimes, was never provided to the judge.

I understand that you have legislation before you this session intended to provide more thorough information to judges, and to close some of these gaps. I encourage your thoughtful consideration of these proposals.

In the Judicial Branch, the Trial Chiefs, working with a Team of experienced trial judges, have determined that several changes should be implemented quickly.

Some of the most important changes are these:

At sentencing and bail hearings on serious charges, the presiding judge will require the prosecutor to provide the following information if it exists:

- Maine and national criminal history records;
- The victim's statement or presentation; and
- The ODARA or other risk assessment score.

In addition, now that we understand how few of the victims sought timely help, there is something else we all have to do.

We must stop assuming that the victim will always ask for help.

As neighbors, family members, employers, and service providers, we must all be alert for the signs of isolation, control, and impending violence that are harbingers of real lethality.

And we must not look away and assume that someone else will take care of it.

I am pleased to report that, this summer, in collaboration with the Maine State Bar Association, we will gather all of Maine's state court judges and many lawyers from all different practices to come together for this broader conversation about a more comprehensive approach to reducing and eliminating domestic violence.

I am also pleased that the Governor has agreed to come and help us kick off the conference and share some of his very personal history.

#### **AND NOW I HAVE TWO REQUESTS.**

##### **Clerks and Marshals**

First, as you may have heard me mention before, Maine's trial judges are among the lowest paid judges in the nation.

But even more distressing is the fact that the pay scales of marshals, clerks, and others in the Judicial Branch have not remained competitive either with other law enforcement agencies or with what the staff can make working other public sector jobs or the private sector. We no sooner train new clerks and marshals than we lose them to other employers.

Yet the clerks and the marshals are the unsung heroes of the Maine Courts.

You may have noticed that I did not begin today's presentation with my usual request for more marshal positions to help us reach 100% entry screening. That is because the compensation situation is so bad that we struggle just to fill the existing marshal positions.

We must adjust the compensation of court staff. Our recently completed salary study confirmed that we have fallen significantly below market averages. Ted Glessner will shortly be discussing this problem with

## STATE OF THE JUDICIARY ADDRESS

the Appropriations Committee. This is important. We need to act quickly to make Judicial Branch wages more competitive in order to attract and retain good employees.

### **Supreme Court Visits to Maine Schools**

My second request has no money involved. I am inviting *you* to invite the Supreme Judicial Court to come to a High School in your District to preside over real appellate arguments at the school.

Since 2005, at the request of Maine Legislators, the Maine SJC has traveled to 35 High Schools across the State to help Maine students get a close-up view of how an appellate court works. Last year, the Court traveled to and heard cases in Fort Kent, South Berwick, and East Machias, thanks to invitations from Representatives John Martin and Bobbie Beavers, and Senator David Burns.

## SELECTED ADDRESSES TO THE LEGISLATURE

We have not yet created the schedule for the 2017 High School events. If you are interested, please find Mary Ann Lynch in the next week.

### **Thank you**

In closing, it has been a long day for many of you, and you have been very patient with me.

I want to thank every one of you in this chamber today, who will spend hundreds of hours in this statehouse at great personal and financial sacrifice, before the work of the 128th Legislature is done.

Your work does make a difference.

Thank you for everything you do for the people of the State of Maine.

**CROSS REFERENCE TABLES**

TABLE I

Sections of the Maine Revised Statutes affected by the laws of the First Regular Session of the 128th Legislature and the Revisor's Report 2015, Chapter 2 and Initiated Bill 2015, Chapters 2, 3, 4 and 5.

TITLE	SECTION	SUB	PARA	EFF	CHAPTER	PART	SEC	TITLE	SECTION	SUB	PARA	EFF	CHAPTER	PART	SEC	
1	150-N			NEW	PL 41		1	5	7-B			AMD	PL 284	CCC	1	
1	402	3	R	RP	PL 163		1	5	18	1	B	AMD	PL 179		1	
1	402	3	T	AMD	PL 118		1	5	48-A	1	M	AMD	PL 223		2	
1	402	3	U	AMD	PL 118		2	5	113	6		NEW	PL 144		1	
1	402	3	V	NEW	PL 118		3	5	196			1st	AMD	PL 284	DDD	1
1	408-A	4-A		AMD	PL 288	A	1	5	282			1st	AMD	PL 284	QQQQQ	2
1	408-A	8	F	NEW	PL 158		1	5	282	8		AMD	PL 284	GG	1	
1	603		last	RP	PL 19		1	5	282	9		AMD	PL 284	GG	2	
								5	282	10		NEW	PL 284	GG	3	
2	6	2		AMD	PL 284	QQQQQ	1	5	282	11		NEW	PL 284	GG	3	
								5	285	5		AMD	PL 56		1	
3	2-B	1		AMD	PL 242		1	5	1507	5-A		AMD	PL 110		1	
3	2-B	2		AMD	PL 242		2	5	1523			NEW	PL 2	O	1	
3	701	11-A		NEW	PL 88		1	5	1585	4		AMD	PL 288	A	3	
3	734			AMD	PL 88		2	5	1591	2	H	AMD	PL 284	GGGGGG	1	
3	853			AMD	PL 88		3	5	1591	2	I	AMD	PL 284	GGGGGG	1	
3	959	1	P	AMD	PL 255		1	5	1591	2	J	NEW	PL 284	GGGGGG	2	
3	998	2		AMD	PL 266		1	5	1710			AMD	PL 284	N	1	
3	999	1	A	AMD	PL 266		2	5	1710-A			AMD	PL 284	N	2	
3	999	2		AMD	PL 266		3	5	1710-C			AMD	PL 284	N	3	
3	999	3		AMD	PL 266		3	5	1710-G		last	NEW	PL 284	N	4	
								5	1710-H			AMD	PL 284	N	5	
4	6-B			AMD	PL 284	XXXX	1	5	1710-J			RPR	PL 211	A	1	
4	17-A			AMD	PL 284	YYYY	1	5	1725-A			AMD	PL 284	O	1	
4	55			AMD	PL 223		1	5	1727-A			AMD	PL 284	O	2	
4	104-A			AMD	PL 284	XXXX	2	5	1728-A			AMD	PL 284	O	3	
4	157-D			AMD	PL 284	XXXX	3	5	1731		1st	AMD	PL 284	O	4	
4	251			COR	RR 2		1	5	1731-A		2nd	AMD	PL 284	O	5	
4	955-C	1	C	AMD	PL 277		1	5	1733		2nd	AMD	PL 284	O	6	
4	955-C	1	D	AMD	PL 277		2	5	1734		1st	AMD	PL 284	O	7	
4	955-C	1	E	NEW	PL 277		3	5	1736			AMD	PL 284	O	8	
4	1201	12-A		NEW	PL 88		4	5	1737	1		AMD	PL 284	O	9	
4	1234			AMD	PL 88		5	5	1737	2		AMD	PL 284	O	9	
4	1353	1		AMD	PL 88		6	5	1737	3		AMD	PL 284	O	9	
4	1353	4	C	AMD	PL 88		7	5	1737	4		AMD	PL 110		2	
4	1558			RP	PL 138		1	5	1737	4		AMD	PL 284	O	10	
4	1610-I			RAL	PL 288	A	2	5	1737	8		AMD	PL 284	O	11	
4	1610-J			NEW	PL 284	FF	1	5	1742	23	D	AMD	PL 234		1	
4	1610-J			RAL	PL 288	A	2	5	1742	26		AMD	PL 288	B	1	
4	1701			RP	PL 242		3	5	1742	26	E	AMD	PL 284	P	1	
4	1804	2	A	AMD	PL 284	UUUU	1	5	1742	28		AMD	PL 284	P	2	
4	1804	2	D	AMD	PL 284	UUUU	2	5	1742	29		NEW	PL 284	P	3	
4	1804	3	B	AMD	PL 284	UUUU	3	5	1828	1	B	AMD	PL 310		1	
4	1804	3	H	AMD	PL 284	UUUU	4	5	1828	2		AMD	PL 310		2	
4	1804	3	J	AMD	PL 284	UUUU	5	5	3003		2nd	AMD	PL 279		1	
4	1804	3	K	AMD	PL 284	UUUU	6	5	3003-A			NEW	PL 279		2	
4	1804	3	L	NEW	PL 284	UUUU	7	5	3102			AMD	PL 284	GG	4	
4	1804	3	M	NEW	PL 284	UUUU	7	5	3104	1	B	RP	PL 284	GG	5	
4	1805	6		AMD	PL 284	UUUU	8	5	3104	1	E	RP	PL 284	GG	5	
4	1805	7	A-1	NEW	PL 284	UUUU	9	5	3360-M			AMD	PL 156		1	
4	1805	7	B	AMD	PL 284	UUUU	10	5	4651	2	C	RPR	PL 288	A	4	
4	1805	7	B-1	NEW	PL 284	UUUU	11	5	4654	4	G	AMD	PL 288	A	5	
4	1805	10		AMD	PL 284	UUUU	12	5	4654	4	H	RPR	PL 288	A	6	
4	1805	10-A		NEW	PL 284	UUUU	13	5	4654	4	I	NEW	PL 288	A	7	
4	1805-A			NEW	PL 284	UUUU	14	5	4655	1	F	RPR	PL 288	A	8	

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5	4655	1	G	RPR	PL 288	A	9	5	17852	16		AMD	PL 229		4
5	4655	1	H	AMD	PL 288	A	10	5	17902	1	A	AMD	PL 88		22
5	4655	1	I	NEW	PL 288	A	11	5	17903	1		AMD	PL 88		23
5	5303	2		AMD	PL 288	A	12	5	17910	2		AMD	PL 88		24
5	7054-C			NEW	PL 261		1	5	17925	1	A	AMD	PL 88		25
5	7064		2nd	COR	RR 2		2	5	17926	1		AMD	PL 88		26
5	12004-G	23-A		RP	PL 242		4	5	17932	2		AMD	PL 88		27
5	12004-I	38-A		NEW	PL 307		1	5	18053-A			NEW	PL 88		28
5	12004-I	57-H		NEW	PL 52		1	5	18060			RP	PL 88		29
5	13051			RP	PL 264		1	5	18252-B	2		COR	RR 2		5
5	13053		1st	AMD	PL 264		2	5	18502	1	A	AMD	PL 88		30
5	13056-A			RP	PL 264		3	5	18503	1		AMD	PL 88		31
5	13056-B			RP	PL 264		4	5	18525	1	A	AMD	PL 88		32
5	13056-C			RP	PL 264		5	5	18526	1		AMD	PL 88		33
5	13058	5		AMD	PL 264		6	5	18532	2		AMD	PL 88		34
5	13063-O	1	C	AMD	PL 264		7	5	18653-A			NEW	PL 88		35
5	13070-J	1		AMD	PL 264		8	5	18660			RP	PL 88		36
5	13070-J	2		RP	PL 264		9	5	20047	3		AFF	PL 243		5
5	13070-J	2-A		NEW	PL 264		10	5	20047	3		NEW	PL 243		1
5	13070-J	4		AMD	PL 264		11	5	24002	1		AMD	PL 284	RRRRRRR	1
5	13070-J	4	A	RP	PL 211	E	1								
5	13070-O	1	J	AMD	PL 264		12	7	1-C			NEW	PL 278		1
5	13070-P			NEW	PL 264		13	7	2		4th	AMD	PL 94		1
5	13070-Q			NEW	PL 264		14	7	52	3-A		AMD	PL 94		2
5	13107			RP	PL 264		15	7	81	3-A		NEW	PL 207		1
5	13108			RP	PL 264		16	7	81	14		RP	PL 207		2
5	13109			RP	PL 264		17	7	96	3		AMD	PL 207		3
5	13120-P	4		NEW	PL 174		1	7	96	4		AMD	PL 207		3
5	13120-R			NEW	PL 174		2	7	96	7		AMD	PL 207		3
5	13120-S			NEW	PL 174		2	7	96	8		AMD	PL 207		4
5	15301	1-A		NEW	PL 109		1	7	96	10		AMD	PL 207		5
5	15301	1-B		NEW	PL 109		1	7	96	12	C	AMD	PL 207		6
5	15301	1-C		NEW	PL 109		1	7	97	4	A	AMD	PL 207		7
5	15301	2-A		NEW	PL 109		2	7	97	4	I	AMD	PL 207		8
5	15303	6	E	AMD	PL 109		3	7	97	4	L	AMD	PL 207		8
5	15303	7		AMD	PL 109		4	7	97	4	N	AMD	PL 207		8
5	15322	2	B	AMD	PL 109		5	7	97	4	R	NEW	PL 207		9
5	17001	19-A		NEW	PL 88		8	7	100	1		AMD	PL 207		10
5	17053			AMD	PL 88		9	7	162			AMD	PL 160		1
5	17057	1		AMD	PL 46		1	7	309			COR	RR 2		6
5	17057	2		RPR	PL 46		2	7	402-B			NEW	PL 284	RRRRR	1
5	17102	1	E	AMD	PL 88		10	7	714	4		AMD	PL 263		1
5	17103	3		AMD	PL 88		11	7	974-A	1	A	AMD	PL 6		1
5	17103	11	B	AMD	PL 88		12	7	974-A	1	B	AMD	PL 6		1
5	17103	13		RPR	PL 88		13	7	1044	1	A	AMD	PL 57		1
5	17106	1		AMD	PL 88		14	7	1501			NEW	PL 94		3
5	17106	2		AMD	PL 88		15	7	1809	1		AMD	PL 205		1
5	17106	3		AMD	PL 88		16	7	2441			NEW	IB 5		1
5	17106-A	5		AMD	PL 88		17	7	2442			NEW	IB 5		1
5	17106-A	6		AMD	PL 88		18	7	2442	5		RP	PL 1		1
5	17152		1st	AMD	PL 88		19	7	2442	7		AMD	PL 278		2
5	17152	1		COR	RR 2		3	7	2442	9		AMD	PL 278		3
5	17438			AMD	PL 88		20	7	2442	20		RP	PL 309		1
5	17716			AMD	PL 229		1	7	2442	22		AMD	PL 1		2
5	17760	6	D	NEW	PL 88		21	7	2442	22-A		NEW	PL 1		3
5	17806	1	A-2	COR	RR 2		4	7	2442	23-A		NEW	PL 309		2
5	17851	11		AMD	PL 148		1	7	2442	31-A		NEW	PL 309		2
5	17851	14		AMD	PL 229		2	7	2442	31-B		NEW	PL 309		2
5	17852	15		AMD	PL 229		3	7	2442	32		AMD	PL 309		3

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7	2442	34		AMD	PL 1		4	8	272-C	1		AMD	PL 231		13
7	2442	36-A		NEW	PL 309		4	8	272-C	2		AMD	PL 231		13
7	2442	37		AMD	PL 309		5	8	275-A	1		AMD	PL 231		14
7	2443			NEW	IB 5		1	8	275-A	9-A		AMD	PL 231		15
7	2443			RP	PL 1		5	8	275-A	9-B		NEW	PL 231		16
7	2444			NEW	IB 5		1	8	275-A	10-A		AMD	PL 231		17
7	2444			AMD	PL 278		4	8	275-N			AMD	PL 231		18
7	2444	2		AMD	PL 1		6	8	276-B			AMD	PL 231		19
7	2445			NEW	IB 5		1	8	277			AMD	PL 231		20
7	2445			AMD	PL 309		6	8	279-E			AMD	PL 231		21
7	2445		1st	AMD	PL 1		7	8	283			AMD	PL 231		22
7	2445		1st	AMD	PL 278		5	8	299	2		AMD	PL 231		23
7	2446			NEW	IB 5		1	8	299	3		AMD	PL 231		24
7	2446	2		AMD	PL 278		6	8	299	5		NEW	PL 231		25
7	2446	5		NEW	PL 1		8	8	601			RP	PL 12		1
7	2447			NEW	IB 5		1	8	1003	5		NEW	PL 284	IIII	1
7	2447		1st	AMD	PL 1		9	8	1003	5		NEW	PL 303		1
7	2448			NEW	IB 5		1	8	1036	2-A	A	AMD	PL 284	C	1
7	2448	4		AMD	PL 278		7	8	1036	2-B	A	AMD	PL 284	C	2
7	2448	6		AMD	PL 278		8	8	1037		1st	AMD	PL 231		26
7	2448	6		AMD	PL 309		7	8	1037	2	E	AMD	PL 288	B	2
7	2448	8		AMD	PL 278		9	8	1037	3		AMD	PL 288	B	3
7	2448	8		RP	PL 309		8	8	1101			NEW	PL 303		2
7	2448	8-A		NEW	PL 309		9	8	1102			NEW	PL 303		2
7	2448	19		NEW	PL 1		10	8	1103			NEW	PL 303		2
7	2449			NEW	IB 5		1	8	1104			NEW	PL 303		2
7	2449	6		NEW	PL 1		11	8	1105			NEW	PL 303		2
7	2450			NEW	IB 5		1	8	1106			NEW	PL 303		2
7	2450		1st	AMD	PL 1		12	8	1107			NEW	PL 303		2
7	2451			NEW	IB 5		1	8	1108			NEW	PL 303		2
7	2451		1st	AMD	PL 1		13								
7	2452			NEW	IB 5		1	9-A	1-301	17		AMD	PL 106		1
7	2452	1		AMD	PL 1		14	9-A	1-301	24-C		NEW	PL 106		2
7	2452	5		RP	PL 1		15	9-A	1-301	39		AMD	PL 106		3
7	2452	6		NEW	PL 1		16	9-A	2-301			AMD	PL 106		4
7	2452	7		NEW	PL 1		16	9-A	2-302			AMD	PL 106		5
7	2453			NEW	IB 5		1	9-A	2-303	1		AMD	PL 106		6
7	2453	4		NEW	PL 1		17	9-A	2-303-A			AMD	PL 106		7
7	2454			NEW	IB 5		1	9-A	2-304	2		AMD	PL 106		8
7	2454	5		NEW	PL 1		18	9-A	2-309			AMD	PL 106		9
7	2455			NEW	PL 278		10	9-A	9-101			AMD	PL 106		10
7	3972	1	B	AMD	PL 131		1	9-A	9-201			AMD	PL 106		11
7	3972	4		AMD	PL 284	KKKKK	1								
								9-B	213	2	A	AMD	PL 288	A	13
7-A	101	2-B		NEW	PL 215		1	9-B	332	2-A	A	AMD	PL 143		1
7-A	201-B			NEW	PL 215		2	9-B	335	1		AMD	PL 143		2
								9-B	445	6		AMD	PL 143		3
8	262			AMD	PL 231		1	9-B	816	1	F	AMD	PL 143		4
8	263-A	5		NEW	PL 231		2	9-B	831	3		AMD	PL 143		5
8	263-B	4		NEW	PL 231		3	9-B	831	4		NEW	PL 143		6
8	264			AMD	PL 231		4	9-B	831	5		NEW	PL 143		6
8	267			AMD	PL 231		5	9-B	831	6		NEW	PL 143		6
8	268		1st	AMD	PL 231		6	9-B	831	7		NEW	PL 143		6
8	268		2nd	AMD	PL 231		7	9-B	832			RP	PL 143		7
8	271	1		AMD	PL 231		8	9-B	833	1-A		AMD	PL 143		8
8	271	2		AMD	PL 231		9	9-B	847	1		AMD	PL 143		9
8	271	5		AMD	PL 231		10	9-B	863	2		AMD	PL 143		10
8	271	7		AMD	PL 231		11	9-B	864	2		AMD	PL 143		11
8	271	9		RP	PL 231		12	9-B	864	2	B	AFF	PL 288	C	4

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9-B	864	2	B	AMD	PL 288	C	1	10	9051	1		AMD	PL 210	B	23
9-B	864	3		RP	PL 143		12	10	9051	2		AMD	PL 210	B	23
9-B	864	4		NEW	PL 143		13	10	9061	6		AMD	PL 210	B	24
9-B	864	5		NEW	PL 143		13	10	9066	1	A	AMD	PL 210	B	25
								10	9066	1	D	AMD	PL 210	B	25
10	363	11		RP	PL 234		2	10	9066	3		AMD	PL 210	B	26
10	1043	2	O	AMD	PL 95		1	10	9081	1		AMD	PL 210	B	27
10	1174	3	C-2	NEW	PL 217		1	10	9081	2		AMD	PL 210	B	28
10	1174	3	C-3	NEW	PL 217		1	10	9082			AMD	PL 210	B	29
10	1174	3	C-4	NEW	PL 217		1	10	9083			AMD	PL 210	B	30
10	1174	3	C-5	NEW	PL 217		1	10	9084		1st	AMD	PL 210	B	31
10	1174	3	K	AMD	PL 217		2	10	9084		2nd	AMD	PL 210	B	32
10	1174	3-A		AMD	PL 217		3	10	9084		4th	AMD	PL 210	B	33
10	1174	4	F	AMD	PL 217		4	10	9085			AMD	PL 210	B	34
10	1174	5		NEW	PL 217		5	10	9086			AMD	PL 210	B	35
10	1174-C	1	A	AMD	PL 217		6	10	9087		1st	AMD	PL 210	B	36
10	1174-D			NEW	PL 217		7	10	9088		1st	AMD	PL 210	B	37
10	1176-A		2nd	NEW	PL 217		8	10	9090			AMD	PL 210	B	38
10	1183		1st	AMD	PL 217		9								
10	1186			AMD	PL 217		10	11	1-1101			AMD	PL 288	A	14
10	1404		1st	AMD	PL 210	A	1								
10	1404	1		AMD	PL 210	A	2	12	541-A			AMD	PL 284	QQ	1
10	1404	3		AMD	PL 210	A	3	12	544-D			RP	PL 284	QQ	2
10	1404	5		AMD	PL 210	A	4	12	549-B	7	C-1	NEW	PL 142		1
10	1404-A	1		AMD	PL 210	A	5	12	685-B	7-B		NEW	PL 89		1
10	1404-A	2		AMD	PL 210	A	5	12	685-C	12		NEW	PL 236		1
10	1500-H			NEW	PL 178		1	12	1802			AMD	PL 284	PPPPPP	1
10	1500-H			NEW	PL 228		1	12	1807			AMD	PL 289		1
10	2461			NEW	PL 172		1	12	1808			NEW	PL 289		2
10	2462			NEW	PL 172		1	12	1847	5		NEW	PL 262		1
10	2463			NEW	PL 172		1	12	1849	2		AMD	PL 289		3
10	2464			NEW	PL 172		1	12	1849	4		NEW	PL 289		4
10	2632			NEW	PL 172		2	12	1853	1	F	AMD	PL 289		5
10	8003	2-A	K	AMD	PL 173		1	12	1853	1	G	AMD	PL 289		6
10	8003	2-A	L	AMD	PL 173		1	12	1853	1	H	NEW	PL 289		7
10	8003	2-A	M	NEW	PL 173		2	12	1853	1	I	NEW	PL 289		8
10	8003	2-A	N	NEW	PL 173		2	12	1859			NEW	PL 289		9
10	9001	1	D	AMD	PL 210	B	1	12	1891-A			AMD	PL 110		3
10	9002	2-B		NEW	PL 210	B	2	12	6052	3		AMD	PL 159		1
10	9002	3		AMD	PL 210	B	3	12	6052	4	D	AMD	PL 284	QQ	3
10	9002	5		AMD	PL 210	B	4	12	6052	5		AMD	PL 284	QQ	4
10	9002	6		AMD	PL 210	B	5	12	6052	6		NEW	PL 284	QQ	5
10	9002	7	B	AMD	PL 210	B	6	12	6072	2	A	AMD	PL 159		2
10	9002	12		NEW	PL 210	B	7	12	6072	8		AMD	PL 159		3
10	9003	2	F	AMD	PL 210	B	8	12	6072	12-C		NEW	PL 159		4
10	9006	1		AMD	PL 210	B	9	12	6072	13	B	AMD	PL 159		5
10	9006-B			AMD	PL 210	B	10	12	6072-C			AMD	PL 159		6
10	9008	1		AMD	PL 210	B	11	12	6073-B			AFF	PL 296		10
10	9009	3		AMD	PL 210	B	12	12	6073-B			AMD	PL 296		1
10	9011	1		AMD	PL 210	B	13	12	6073-C			AFF	PL 296		10
10	9021	1		AMD	PL 210	B	14	12	6073-C			AMD	PL 296		2
10	9021	2-A		AMD	PL 210	B	15	12	6073-D		last	AMD	PL 94		4
10	9022	3		AMD	PL 210	B	16	12	6085			RP	PL 94		5
10	9022	4		AMD	PL 210	B	17	12	6085-A			NEW	PL 94		6
10	9043	2	B	AMD	PL 210	B	18	12	6087			NEW	PL 52		2
10	9043	4		AMD	PL 210	B	19	12	6301	2	V	AMD	PL 296		3
10	9044	3		AMD	PL 210	B	20	12	6301	2	W	AMD	PL 296		4
10	9046			AMD	PL 210	B	21	12	6301	2	X	NEW	PL 296		5
10	9047	3		AMD	PL 210	B	22	12	6304-A			NEW	PL 284	EEEE	1

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12	6310-A	1		AMD	PL 161		1	12	6751	4		AMD	PL 284	EEEE	19
12	6310-B			NEW	PL 161		2	12	6791	1		AMD	PL 284	EEEE	20
12	6351	1	B-2	NEW	PL 197		1	12	6803	3		RPR	PL 284	EEEE	21
12	6351	1	B-3	NEW	PL 197		1	12	6803	4		AMD	PL 284	EEEE	22
12	6371	3		RPR	PL 197		2	12	6806	3		AMD	PL 52		3
12	6371	4		NEW	PL 197		3	12	6808	4		RP	PL 284	EEEE	23
12	6374			AMD	PL 197		4	12	6808	6		AMD	PL 284	EEEE	24
12	6402			AMD	PL 197		5	12	6808	7		AMD	PL 284	EEEE	25
12	6402-D			NEW	PL 197		6	12	6810-A	1-A		NEW	PL 146		2
12	6402-E			NEW	PL 197		6	12	6810-A	7-A		NEW	PL 146		3
12	6404			AMD	PL 197		7	12	6810-A	11		AMD	PL 146		4
12	6404-H			AMD	PL 250		1	12	6810-B			NEW	PL 296		9
12	6413			NEW	PL 197		8	12	6851	6	A	AMD	PL 284	EEEE	26
12	6421	7-A		RP	PL 284	EEEE	2	12	6851	6	B	AMD	PL 284	EEEE	26
12	6421	7-B		NEW	PL 284	EEEE	3	12	6852	2		AMD	PL 146		5
12	6421	7-C		NEW	PL 284	EEEE	3	12	6852	2-B		NEW	PL 146		6
12	6421	8		RP	PL 284	EEEE	4	12	6852	4		AFF	PL 224		3
12	6431-B			RPR	PL 197		9	12	6852	4		AMD	PL 224		1
12	6432	2		RPR	PL 197		10	12	6852	6	E	AMD	PL 146		7
12	6432-A	1		AMD	PL 146		1	12	6852	6	F	AMD	PL 146		7
12	6434	3-A		AMD	PL 197		11	12	6852	6	G	NEW	PL 146		8
12	6440	1		AMD	PL 32		1	12	6853	6		AMD	PL 284	EEEE	27
12	6451	1		RP	PL 284	EEEE	5	12	6855	6		AMD	PL 284	EEEE	28
12	6451	1-A		NEW	PL 284	EEEE	6	12	6856			AMD	PL 224		2
12	6505-A	1-C		AMD	PL 250		2	12	6864	4		AMD	PL 284	EEEE	29
12	6505-A	1-F		NEW	PL 250		3	12	6864	5		RPR	PL 284	EEEE	30
12	6505-A	2	F	AMD	PL 250		4	12	6954-C	1		AMD	PL 222		6
12	6505-A	2-B		RP	PL 250		5	12	6954-C	1-A		NEW	PL 222		7
12	6505-A	2-C		NEW	PL 250		6	12	8901	1	A	AMD	PL 284	SS	1
12	6505-A	4		AMD	PL 250		7	12	10001	6	D	RP	PL 150		1
12	6505-A	4		AFF	PL 284	EEEE	31	12	10001	6	G	RP	PL 150		1
12	6505-A	4		RP	PL 284	EEEE	7	12	10001	6	H	RP	PL 150		1
12	6505-A	4-A		AFF	PL 284	EEEE	31	12	10001	53-A		NEW	PL 150		2
12	6505-A	4-A		NEW	PL 284	EEEE	8	12	10053	9		AMD	PL 205		2
12	6505-A	4-B		AFF	PL 284	EEEE	31	12	10053	10		AMD	PL 205		3
12	6505-A	4-B		NEW	PL 284	EEEE	8	12	10053	11		NEW	PL 205		4
12	6505-B	1	A	AMD	PL 284	EEEE	9	12	10055			RP	PL 205		5
12	6505-B	3		AMD	PL 284	EEEE	10	12	10108	5		AMD	PL 164		1
12	6505-B	5		AMD	PL 284	EEEE	11	12	10202	9		AMD	PL 284	VVVV	1
12	6505-C	4		AMD	PL 284	EEEE	12	12	10251	4		AMD	PL 2	H	1
12	6505-C	4-A		NEW	PL 284	EEEE	13	12	10652	1	B	AMD	PL 50		1
12	6575-J			AMD	PL 250		8	12	10659			NEW	PL 225		1
12	6601	2-A		AFF	PL 296		10	12	10851	1	D	AMD	PL 164		2
12	6601	2-A		RP	PL 296		6	12	10853	4		AMD	PL 100		1
12	6601	5		AMD	PL 284	EEEE	14	12	10853	4		AMD	PL 164		3
12	6601	5-A		AMD	PL 284	EEEE	15	12	10853	6		AMD	PL 164		4
12	6651	1		AMD	PL 284	EEEE	16	12	10853	8		AMD	PL 164		5
12	6702	2-A		AMD	PL 222		1	12	10853	17		NEW	PL 72		1
12	6720			NEW	PL 222		2	12	10902	7-B		NEW	PL 50		2
12	6722	1		AMD	PL 222		3	12	10902	7-C		NEW	PL 202		1
12	6745	2-A		AFF	PL 296		10	12	10908	1		AMD	PL 204		1
12	6745	2-A		RP	PL 296		7	12	10953	1	B	AMD	PL 85		1
12	6745	5		AMD	PL 284	EEEE	17	12	10953	1-C		AMD	PL 164		6
12	6746	2-A		AFF	PL 296		10	12	10953	1-C		AMD	PL 239		1
12	6746	2-A		RP	PL 296		8	12	11107	2		RP	PL 164		7
12	6746	5		AMD	PL 284	EEEE	18	12	11109	3	A	AMD	PL 164		8
12	6748-A	2-B	A	AMD	PL 222		4	12	11109	3	F	AMD	PL 164		9
12	6748-A	2-B	B	AMD	PL 222		4	12	11109	3	O	AMD	PL 164		10
12	6749-D			NEW	PL 222		5	12	11109	7		AMD	PL 125		1

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12	11109-A	4	F	AMD	PL 205		6	12	12656	1	B	AMD	PL 150		7
12	11109-A	4	G	RP	PL 205		7	12	12661	3		AMD	PL 164		22
12	11152	1-A		AMD	PL 205		8	12	12704			RP	PL 205		27
12	11152	2-A		NEW	PL 205		9	12	12705	1		AMD	PL 205		28
12	11154	5		AMD	PL 72		2	12	12759			AMD	PL 150		8
12	11154	5		AMD	PL 96		1	12	12760	1		AMD	PL 150		9
12	11154	7		AMD	PL 96		2	12	12803	3	MM	AMD	PL 164		23
12	11154	9		AMD	PL 76		1	12	12853	4-A		NEW	PL 204		2
12	11155	1-C		AMD	PL 85		2	12	12953	4		AMD	PL 72		3
12	11203	1-A		NEW	PL 82		1	12	12953	6		AMD	PL 72		4
12	11209-A			NEW	PL 69		1	12	12953	7		AMD	PL 164		24
12	11212			RP	PL 176		1	12	12954	4-A	A	AMD	PL 288	A	15
12	11212-A			NEW	PL 176		2	12	13104	5		AMD	PL 164		25
12	11214	1	A	AMD	PL 164		11	12	13104	7	E	NEW	PL 97		1
12	11214	1	B	AMD	PL 164		11	12	13104	16		RP	PL 97		2
12	11214	1	D	AMD	PL 164		11	12	13104	16	A	COR	RR 2		8
12	11214	1	E	AMD	PL 164		11	12	13106-A	5		AMD	PL 164		26
12	11251	2		RP	PL 164		12	12	13106-A	14		RP	PL 71		1
12	11401	1	B	AMD	PL 164		13	12	13106-A	14-A		NEW	PL 71		2
12	11403	2		COR	RR 2		7	12	13112			AMD	PL 71		3
12	11701			AMD	PL 85		3	12	13155	1-A	A	AMD	PL 97		3
12	11751-A	2		AMD	PL 85		4	12	13157-A	16	B	AMD	PL 164		27
12	11751-A	3		AMD	PL 85		4								
12	11802	1		AMD	PL 85		5	14	751			AMD	PL 251		1
12	12055	2	A	AMD	PL 205		10	14	864			AMD	PL 102		1
12	12101	1-C		NEW	PL 205		11	14	1202-A			AMD	PL 223		3
12	12103			RP	PL 205		12	14	1211			AMD	PL 275		1
12	12151	1		AMD	PL 205		13	14	4422	2		AMD	PL 209		1
12	12151	2		AMD	PL 285		1	14	4422	13	D	AMD	PL 177		1
12	12152	1-A		AMD	PL 205		14	14	4422	13	E	AMD	PL 177		2
12	12152	1-B		NEW	PL 205		15	14	4422	13	F	RP	PL 177		3
12	12152	2		AMD	PL 205		16	14	4422	13-A		NEW	PL 177		4
12	12152	3-B		RP	PL 205		17	14	6001	1		AMD	PL 210	B	39
12	12152	3-D		NEW	PL 205		18	14	6002	1	C	AMD	PL 103		1
12	12152	4		RP	PL 205		19	14	6002	1	D	AMD	PL 103		2
12	12152	7		NEW	PL 285		2	14	6002	1	E	NEW	PL 103		3
12	12156			AMD	PL 205		20	14	6002	1	F	NEW	PL 103		3
12	12158			RP	PL 205		21	14	6030-G			NEW	PL 61		1
12	12159	2		AMD	PL 205		22	14	6322		2nd	AMD	PL 133		1
12	12159	3		AMD	PL 205		23								
12	12161	2		AMD	PL 205		24	15	55			AMD	PL 144		2
12	12161	3	B	AMD	PL 205		25	15	56			NEW	PL 144		3
12	12161	3	C	RP	PL 205		26	15	393	2		AMD	PL 206		1
12	12201	2		AMD	PL 164		14	15	393	2		AMD	PL 227		1
12	12201	3		AMD	PL 164		15	15	393	3		AMD	PL 206		2
12	12201	4		AMD	PL 164		16	15	393	4		AMD	PL 206		3
12	12204	6		AMD	PL 164		17	15	455			AMD	PL 81		1
12	12303-A	1-A	B	AMD	PL 226		1	15	1074	3		AMD	PL 284	UUUU	15
12	12303-A	1-A	C	AMD	PL 226		1	15	1094	2-A		NEW	PL 221		1
12	12303-A	1-A	D	NEW	PL 226		2	15	1094-B	1	C	AMD	PL 66		1
12	12452			AMD	PL 164		18	15	2121	2		AMD	PL 148		2
12	12457	2		AMD	PL 150		3	15	2167			AMD	PL 288	A	16
12	12506			AMD	PL 150		4	15	3101	2	C	AMD	PL 127		1
12	12551-A	2	C	AMD	PL 164		19	15	3103	1	B	AMD	PL 1		19
12	12551-A	2	D	AMD	PL 164		19								
12	12551-A	2	E	NEW	PL 164		20	16	355			AMD	PL 216		1
12	12551-A	2-A		RP	PL 164		21	16	642	1		AMD	PL 144		4
12	12602			AMD	PL 150		5	16	648			AMD	PL 144		5
12	12606	1		AMD	PL 150		6								

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17	311			AMD	PL 284	JJJJJ	1	17	1836	4-A		AMD	PL 182		1
17	312	1		AMD	PL 284	JJJJJ	2	17	1836	4-A		AMD	PL 284	KKKKK	21
17	312	3		RP	PL 284	JJJJJ	3	17	1836	4-B		NEW	PL 284	KKKKK	22
17	313			AMD	PL 284	JJJJJ	4	17	1836	6		AMD	PL 284	KKKKK	23
17	313-A			RP	PL 284	JJJJJ	5	17	1837			RP	PL 284	KKKKK	24
17	313-B			NEW	PL 47		1	17	1837-A			NEW	PL 284	KKKKK	25
17	313-B			RP	PL 284	JJJJJ	6	17	1838	1		AMD	PL 284	KKKKK	26
17	313-C			NEW	PL 284	JJJJJ	7	17	1838	2		AMD	PL 284	KKKKK	26
17	313-D			NEW	PL 284	JJJJJ	7	17	1838	3		AMD	PL 284	KKKKK	26
17	313-E			NEW	PL 284	JJJJJ	7	17	1839			AMD	PL 284	KKKKK	27
17	314			RP	PL 284	JJJJJ	8	17	1840			AMD	PL 284	KKKKK	28
17	314-A	1		AMD	PL 284	JJJJJ	9	17	1842			AMD	PL 284	KKKKK	29
17	314-A	1	B	AMD	PL 284	KKKKK	2	17	1843			AMD	PL 284	KKKKK	30
17	314-A	1-A		AMD	PL 284	JJJJJ	10	17	2306			AMD	PL 284	KKKKK	31
17	314-A	2-A		AMD	PL 284	KKKKK	3	17	2851			AMD	PL 136		1
17	314-A	3		AMD	PL 284	JJJJJ	11	17	2852			AMD	PL 136		2
17	314-A	3-B		AMD	PL 284	JJJJJ	12	17	2853			AMD	PL 136		3
17	314-A	4		AMD	PL 233		1	17	2856			AMD	PL 136		4
17	314-A	8		AMD	PL 284	JJJJJ	13	17	2857			AMD	PL 136		5
17	314-B			RP	PL 284	JJJJJ	14	17	2858			AMD	PL 136		6
17	314-C			RP	PL 284	JJJJJ	15	17	2859	1		AMD	PL 136		7
17	315			RP	PL 284	JJJJJ	16	17	2859	2	A	AMD	PL 136		8
17	315-A			AMD	PL 284	JJJJJ	17	17	2859	4		AMD	PL 136		9
17	316			AMD	PL 284	JJJJJ	18	17	2859	5		AMD	PL 136		9
17	317		1st	AMD	PL 284	JJJJJ	19	17	2859	7		AMD	PL 136		10
17	317-A			AMD	PL 284	JJJJJ	20								
17	319			RPR	PL 284	JJJJJ	21	17-A	15	1	A	AMD	PL 148		3
17	320	1		AMD	PL 284	JJJJJ	22	17-A	253	2	K	AMD	PL 300		1
17	320	2		AMD	PL 284	JJJJJ	22	17-A	253	2	L	AMD	PL 300		1
17	322			AMD	PL 284	JJJJJ	23	17-A	253	2	M	NEW	PL 300		2
17	323			AMD	PL 284	JJJJJ	24	17-A	253	3		RP	PL 300		3
17	324-A	2	C	AMD	PL 284	JJJJJ	25	17-A	259-B			NEW	PL 135		1
17	325			AMD	PL 284	JJJJJ	26	17-A	517			NEW	PL 86		1
17	326			AMD	PL 284	JJJJJ	27	17-A	651	1	B	AMD	PL 157		1
17	327			RP	PL 284	JJJJJ	28	17-A	753	1-C		NEW	PL 149		1
17	328	1		AMD	PL 284	JJJJJ	29	17-A	753	1-D		NEW	PL 149		1
17	328	2		AMD	PL 284	JJJJJ	29	17-A	908			AMD	PL 166		1
17	328	3		AMD	PL 284	JJJJJ	29	17-A	951			AMD	PL 284	KKKKK	32
17	328	4		AMD	PL 284	JJJJJ	29	17-A	1101	24		AMD	PL 274		1
17	328	5		AMD	PL 284	JJJJJ	29	17-A	1102	1	I	AMD	PL 274		2
17	328	8		AMD	PL 284	JJJJJ	30	17-A	1118-A	1	A	COR	RR 2		9
17	1831	1-A		NEW	PL 284	KKKKK	4	17-A	1151	7		AMD	PL 105		1
17	1831	2		RP	PL 284	KKKKK	5	17-A	1151	8	B	AMD	PL 105		2
17	1831	2-A		NEW	PL 284	KKKKK	6	17-A	1151	9		NEW	PL 105		3
17	1831	4-A		NEW	PL 284	KKKKK	7	17-A	1175		1st	AMD	PL 128		1
17	1831	5		AMD	PL 284	KKKKK	8	17-A	1175	1		AMD	PL 128		2
17	1831	8		AMD	PL 284	KKKKK	9	17-A	1175	3	B	AMD	PL 128		3
17	1831	12		RP	PL 284	KKKKK	10	17-A	1203	1-A	B-1	NEW	PL 128		4
17	1831	13		AMD	PL 284	KKKKK	11	17-A	1204	6		NEW	PL 105		4
17	1831	13-A		NEW	PL 284	KKKKK	12	17-A	1205-C	4		AMD	PL 214		1
17	1831	14-A		RP	PL 284	KKKKK	13								
17	1831	15		RPR	PL 284	KKKKK	14	18-A	5-104	c	4	AMD	PL 42		1
17	1832			AMD	PL 284	KKKKK	15	18-A	5-204	d		AMD	PL 187		1
17	1834			AMD	PL 284	KKKKK	16	18-A	5-205			AMD	PL 223		4
17	1835			AMD	PL 284	KKKKK	17	18-A	9-104			AMD	PL 223		5
17	1835-A			NEW	PL 284	KKKKK	18	18-A	9-304	α-1		AMD	PL 64		1
17	1836		1st	AMD	PL 284	KKKKK	19	18-A	9-304	α-2		AMD	PL 64		2
17	1836	1		AMD	PL 284	KKKKK	20								
17	1836	2		AMD	PL 284	KKKKK	20	18-B	110	1	C	AMD	PL 39		1

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19-A	1653	13		RP	PL	30	20-A	3806			NEW	PL	284	VVVVV	6	
19-A	2001	1		AMD	PL	30	20-A	3807			NEW	PL	284	VVVVV	6	
19-A	2001	11		RP	PL	30	20-A	4271	3		AMD	PL	284	C	5	
19-A	2006	1		AMD	PL	30	20-A	4271	3-A		NEW	PL	284	C	6	
19-A	2006	6		RP	PL	30	20-A	4722-A	4		RP	PL	284	C	7	
19-A	2006	7	C	AMD	PL	30	20-A	4775			AMD	PL	284	C	8	
19-A	2006	7	D	RP	PL	30	20-A	5205	6-B		NEW	PL	284	VVVVV	7	
19-A	2006	8	D	RP	PL	30	20-A	6001-C			NEW	PL	247		1	
19-A	2006	8	E	AMD	PL	30	20-A	6051	1	J	AMD	PL	284	C	9	
19-A	2006	11		NEW	PL	30	20-A	6051	1	J	AMD	PL	284	JJJJJJ	1	
19-A	3051	2	F	COR	RR	2	20-A	6051	1	K	AMD	PL	284	C	10	
19-A	4002	1	F	AMD	PL	288	A	20-A	6051	1	K	AMD	PL	284	JJJJJJ	2
19-A	4002	1	G	RPR	PL	288	A	20-A	6051	1	L	NEW	PL	284	C	11
19-A	4002	1	H	NEW	PL	288	A	20-A	6051	1	L	NEW	PL	284	JJJJJJ	3
19-A	4006	5	F	AMD	PL	288	A	20-A	6103		AFF	PL	235		41	
19-A	4006	5	G	RPR	PL	288	A	20-A	6103		AMD	PL	235		1	
19-A	4006	5	H	NEW	PL	288	A	20-A	6103	11	NEW	PL	155		1	
19-A	4007	1	N	RPR	PL	288	A	20-A	6202	1-A	AFF	PL	284	VVVVV	14	
19-A	4007	1	O	RPR	PL	288	A	20-A	6202	1-A	AMD	PL	284	VVVVV	8	
19-A	4007	1	P	AMD	PL	288	A	20-A	6401-A	1	AMD	PL	284	RRR	1	
19-A	4007	1	Q	NEW	PL	288	A	20-A	6601-A		NEW	PL	238		1	
								20-A	6671		NEW	PL	269		1	
20-A	1	34-A	E	AMD	PL	148		20-A	6955		NEW	PL	284	C	12	
20-A	203	1	O	RPR	PL	284	QQQ	20-A	7209	3-A	F	AMD	PL	284	AAAAAA	1
20-A	952	6	A	AMD	PL	288	A	20-A	7209	3-A	G	AMD	PL	284	AAAAAA	1
20-A	953	3	A	AMD	PL	288	A	20-A	7209	3-A	H	NEW	PL	284	AAAAAA	2
20-A	1051	6	D	NEW	PL	284	VVVVV	20-A	7209	4	AMD	PL	284	SSS	1	
20-A	1051	6	D	NEW	PL	284	C	20-A	8232	2	AMD	PL	284	C	13	
20-A	1461-B	3	B	AFF	PL	284	VVVVV	20-A	8301-A	1	AMD	PL	171		1	
20-A	1461-B	3	B	AMD	PL	284	VVVVV	20-A	8301-A	2-A	AMD	PL	171		2	
20-A	1485	1-A		NEW	PL	284	C	20-A	8301-A	3	AMD	PL	171		3	
20-A	2405	9		AMD	PL	284	XXXXX	20-A	8301-A	3-A	NEW	PL	171		4	
20-A	2511			AFF	PL	284	VVVVV	20-A	8301-A	6	AMD	PL	171		5	
20-A	2511			RP	PL	284	VVVVV	20-A	8301-A	8	AMD	PL	171		5	
20-A	2512			AFF	PL	284	VVVVV	20-A	8305-A	1	AMD	PL	171		6	
20-A	2512			RP	PL	284	VVVVV	20-A	8305-A	2	AMD	PL	171		7	
20-A	2513			AFF	PL	284	VVVVV	20-A	8451	1	AMD	PL	171		8	
20-A	2513			RP	PL	284	VVVVV	20-A	8451	2	H	AMD	PL	171		9
20-A	2514			AFF	PL	284	VVVVV	20-A	8451	3	A	AMD	PL	171		10
20-A	2514			RP	PL	284	VVVVV	20-A	8451	5	A	AMD	PL	171		11
20-A	2515			AFF	PL	284	VVVVV	20-A	8601-A	14	C	AMD	PL	110		4
20-A	2515			RP	PL	284	VVVVV	20-A	10952	8	AMD	PL	284	TTTTT	1	
20-A	2516			AFF	PL	284	VVVVV	20-A	10952	9	AMD	PL	284	TTTTT	1	
20-A	2516			RP	PL	284	VVVVV	20-A	10952	10	NEW	PL	284	TTTTT	2	
20-A	2517			AFF	PL	284	VVVVV	20-A	11484	1	AMD	PL	200		1	
20-A	2517			RP	PL	284	VVVVV	20-A	11484	2	AMD	PL	200		2	
20-A	2601			AFF	PL	284	VVVVV	20-A	12542	6	B	AMD	PL	110		5
20-A	2601			RP	PL	284	VVVVV	20-A	12552	2	AMD	PL	229		5	
20-A	2602			AFF	PL	284	VVVVV	20-A	12701	1	RP	PL	179		2	
20-A	2602			RP	PL	284	VVVVV	20-A	12701	4-A	NEW	PL	179		3	
20-A	2603			AFF	PL	284	VVVVV	20-A	12704	2	D	AMD	PL	110		6
20-A	2603			RP	PL	284	VVVVV	20-A	12706	1	AMD	PL	179		4	
20-A	2651	2		AFF	PL	284	VVVVV	20-A	12706	9	AMD	PL	179		5	
20-A	2651	2		AMD	PL	284	VVVVV	20-A	12706	9	AFF	PL	288	C	4	
20-A	3801			NEW	PL	284	VVVVV	20-A	12706	9	AMD	PL	288	C	2	
20-A	3802			NEW	PL	284	VVVVV	20-A	12706	13	AMD	PL	179		6	
20-A	3803			NEW	PL	284	VVVVV	20-A	12706	14	AMD	PL	179		7	
20-A	3804			NEW	PL	284	VVVVV	20-A	12706	15	AMD	PL	179		8	
20-A	3805			NEW	PL	284	VVVVV	20-A	12706	19	AMD	PL	179		9	

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20-A	12706	21		NEW	PL 179		11	20-A	13019-I			NEW	PL 235		25
20-A	12709	1		AMD	PL 179		12	20-A	13021			AFF	PL 235		41
20-A	12709	9		AMD	PL 179		13	20-A	13021			RP	PL 235		26
20-A	12713			AMD	PL 179		14	20-A	13023			AFF	PL 235		41
20-A	12716	1		AMD	PL 179		15	20-A	13023			RP	PL 235		27
20-A	12722	9		NEW	PL 179		16	20-A	13024			AFF	PL 235		41
20-A	13001-A			AFF	PL 235		41	20-A	13024			AMD	PL 235		28
20-A	13001-A			NEW	PL 235		2	20-A	13025			AFF	PL 235		41
20-A	13004			AFF	PL 235		41	20-A	13025			AMD	PL 235		29
20-A	13004			AMD	PL 235		3	20-A	13032			AFF	PL 235		41
20-A	13006			AFF	PL 235		41	20-A	13032			AMD	PL 235		30
20-A	13006			RP	PL 235		4	20-A	13034			AFF	PL 235		41
20-A	13006-A			AFF	PL 235		41	20-A	13034			RP	PL 235		31
20-A	13006-A			NEW	PL 235		5	20-A	13035-A			AFF	PL 235		41
20-A	13007			AFF	PL 235		41	20-A	13035-A			RP	PL 235		32
20-A	13007			AMD	PL 235		6	20-A	13036			AFF	PL 235		41
20-A	13008	1		AFF	PL 235		41	20-A	13036			RP	PL 235		33
20-A	13008	1		RP	PL 235		7	20-A	13037			AFF	PL 235		41
20-A	13008	2	B	AFF	PL 235		41	20-A	13037			RP	PL 235		34
20-A	13008	2	B	AMD	PL 235		8	20-A	13038			AFF	PL 235		41
20-A	13008	2	C	AFF	PL 235		41	20-A	13038			RP	PL 235		35
20-A	13008	2	C	AMD	PL 235		8	20-A	13201	1st		AFF	PL 235		41
20-A	13011			AFF	PL 235		41	20-A	13201	1st	AMD	PL 235		36	
20-A	13011			AMD	PL 235		9	20-A	13901			AFF	PL 235		41
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20-A	13014			RP	PL 235		13	20-A	13905			AFF	PL 235		41
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20-A	13016			RP	PL 235		15	20-A	13907			AFF	PL 235		41
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20-A	13017-A			RP	PL 235		16	20-A	13908			AFF	PL 235		41
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20-A	13018			RP	PL 235		17	20-A	13909			AFF	PL 235		41
20-A	13019			AFF	PL 235		41	20-A	13909			RP	PL 235		37
20-A	13019			AMD	PL 235		18	20-A	13951			AFF	PL 235		41
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20-A	13019-B			AFF	PL 235		41	20-A	13952			RP	PL 235		37
20-A	13019-B			RP	PL 235		20	20-A	15671		1st	AMD	PL 284	C	14
20-A	13019-C			AFF	PL 235		41	20-A	15671	1		AMD	PL 284	C	15
20-A	13019-C			RP	PL 235		21	20-A	15671	5-A		AMD	PL 284	C	16
20-A	13019-D			AFF	PL 235		41	20-A	15671	6		AMD	PL 284	C	17
20-A	13019-D			RP	PL 235		22	20-A	15671	7	A	AMD	PL 284	C	18
20-A	13019-E			AFF	PL 235		41	20-A	15671	7	B	AMD	PL 284	C	19
20-A	13019-E			RP	PL 235		23	20-A	15671	7	C	AMD	PL 284	C	20
20-A	13019-F			AFF	PL 235		41	20-A	15671-A	1	C	AMD	PL 284	C	21
20-A	13019-F			RP	PL 235		24	20-A	15671-A	2	A	AMD	PL 284	C	22
20-A	13019-G			AFF	PL 235		41	20-A	15671-A	2	B	AMD	PL 284	C	23
20-A	13019-G			NEW	PL 235		25	20-A	15671-A	5		AMD	PL 284	C	24
20-A	13019-H			AFF	PL 235		41	20-A	15672	1-D		AMD	PL 171		12
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20-A	15672		23	B	AMD PL 284	C	27	21-A	723-A			NEW IB 3			5
20-A	15672		23	C	AMD PL 284	C	27	21-A	737-A		1st	AMD PL 141			3
20-A	15672		23	D	NEW PL 284	C	28	21-A	737-A	1		AMD PL 141			4
20-A	15674		1		AMD PL 284	C	29	21-A	737-A	1-A		NEW PL 141			5
20-A	15675		2		AMD PL 284	C	30	21-A	737-A	2		AMD PL 141			6
20-A	15676		1		AMD PL 284	C	31	21-A	737-A	2-A		AMD PL 141			7
20-A	15676		2		AMD PL 284	C	31	21-A	738			RPR PL 141			8
20-A	15678		2		AMD PL 284	C	32	21-A	753-B	5		AMD PL 248			7
20-A	15679		2	A	AMD PL 284	C	33	21-A	902			AMD PL 277			4
20-A	15679		2	B	AMD PL 284	C	33	21-A	903-D			NEW PL 277			5
20-A	15680		1	A	RP PL 284	C	34	21-A	905	1		AMD PL 277			6
20-A	15680-A				NEW PL 284	C	35	21-A	1054-B			NEW PL 98			1
20-A	15681		6		RP PL 284	C	36	21-A	1125	6		AMD PL 31			1
20-A	15681-A		2		AFF PL 284	C	66								
20-A	15681-A		2		AMD PL 284	C	37	22	16-B			NEW PL 284	NNNNNNN		1
20-A	15681-A		2-A		RP PL 284	C	38	22	21	1		RP PL 284	NNNNNNN		2
20-A	15681-A		3-A		RP PL 284	C	39	22	21	3-A		NEW PL 284	NNNNNNN		3
20-A	15681-A		4		AMD PL 284	C	40	22	21	10		AMD PL 284	NNNNNNN		4
20-A	15683		1	E	AMD PL 284	C	41	22	21	11		AMD PL 284	NNNNNNN		4
20-A	15683		1	E-1	NEW PL 284	C	42	22	22		1st	AMD PL 284	NNNNNNN		5
20-A	15683-C				NEW PL 284	VVVVV	10	22	22	3		RP PL 284	NNNNNNN		6
20-A	15686				RP PL 284	C	43	22	24			NEW PL 284	NNNNNNN		7
20-A	15686-A				AMD PL 284	C	44	22	25			NEW PL 284	NNNNNNN		7
20-A	15688-A		1		AMD PL 284	C	45	22	261			AMD PL 203			1
20-A	15688-A		3		RP PL 284	C	46	22	832-A			NEW PL 292			1
20-A	15688-A		5		AMD PL 284	C	47	22	851			RP PL 284	AAAA		1
20-A	15688-A		7		RP PL 284	C	48	22	1066	3	A	AMD PL 7			1
20-A	15689		1	A	AMD PL 284	C	49	22	1407	4		RP PL 284	BBBB		1
20-A	15689		1	B	AMD PL 284	C	50	22	1471-C	11-B		AMD PL 59			1
20-A	15689		9		AMD PL 284	VVVVV	11	22	1549			RP PL 165			1
20-A	15689		11	B	AMD PL 284	C	51	22	1551	1-D		NEW PL 308			1
20-A	15689		13	A	AMD PL 284	C	52	22	1551	2		RP PL 308			2
20-A	15689		14		NEW PL 284	C	53	22	1551	3		RPR PL 308			3
20-A	15689		15		NEW PL 284	C	53	22	1552	4		AMD PL 284	CCCC		1
20-A	15689-A				AMD PL 284	C	54	22	1552-A	2		AMD PL 308			4
20-A	15689-A		27		NEW PL 284	VVVVV	12	22	1553-A	1		AMD PL 308			5
20-A	15689-B		2-A		AMD PL 284	C	55	22	1555-B			AMD PL 308			6
20-A	15690-A				NEW PL 284	JJJJJJ	4	22	1700-A			RP PL 284	DDDD		1
20-A	15697				NEW IB 4		1	22	1711-C	6	S	AMD PL 203			2
20-A	15697				RP PL 284	D	1	22	1711-C	6	T	AMD PL 203			3
20-A	15905		1	A	AMD PL 284	C	56	22	1711-C	6	U	NEW PL 203			4
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21-A	1	27-C			NEW IB 3		1	22	1718-D			AFF PL 218			3
21-A	1	35-A			NEW IB 3		2	22	1718-D			NEW PL 218			1
21-A	144		1st		AMD PL 248		1	22	1726	1	A	AMD PL 213			1
21-A	144		1		AMD PL 248		2	22	1726	1	B	AMD PL 213			1
21-A	145		1st		AMD PL 248		3	22	1771			NEW PL 112			1
21-A	301		1	E	AMD PL 254		1	22	1812-L			NEW PL 145			1
21-A	303		2		AMD PL 254		2	22	1826	2	I	AMD PL 288	A		29
21-A	303-A				NEW PL 254		3	22	1963	3		AMD PL 312	A		1
21-A	311		1		AMD PL 248		4	22	1964			NEW PL 312	A		2
21-A	601		2	J	NEW IB 3		3	22	1965			NEW PL 312	A		2
21-A	651		2	A	AMD PL 45		1	22	2353	2	A-2	NEW PL 249			1
21-A	651		2	B	AMD PL 246		1	22	2353	2	C-2	NEW PL 249			1
21-A	696		2	E	AMD PL 141		1	22	2353	3		AMD PL 220			1
21-A	722		1		AMD IB 3		4	22	2383	1		RP IB 5			2
21-A	722		1		AMD PL 141		2	22	2383	1-A		NEW PL 1			20

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22	2423-A	13		NEW	PL	271	1	22	7249	1-A		NEW	PL	213	4	
22	2423-E	10		NEW	PL	252	1	22	7249-A			AFF	PL	243	5	
22	2601-A			AMD	PL	230	1	22	7249-A			NEW	PL	243	2	
22	2602-A	1		AMD	PL	230	2	22	7250	4	I	AMD	PL	87	1	
22	2660-S			NEW	PL	230	3	22	7250	4	I	AMD	PL	213	5	
22	2660-T			NEW	PL	230	3	22	7250	4	J	AMD	PL	87	1	
22	2660-U			NEW	PL	230	3	22	7250	4	J	AMD	PL	213	5	
22	2660-V			NEW	PL	230	3	22	7250	4	K	NEW	PL	87	2	
22	2660-W			NEW	PL	230	3	22	7250	4	K	AMD	PL	213	6	
22	2660-X			NEW	PL	230	3	22	7250	4	L	NEW	PL	213	7	
22	2705	6		AMD	PL	5	1	22	7250	7		AFF	PL	243	5	
22	2767			RP	PL	5	2	22	7250	7		NEW	PL	243	3	
22	2767-A			NEW	PL	5	3	22	7253	2		AMD	PL	213	8	
22	2843	3-A		NEW	PL	101	1	22	7253	3		RPR	PL	122	1	
22	2843	4		AMD	PL	101	2	22	7253	3		AMD	PL	213	9	
22	2843-A	2		AMD	PL	38	1	22	7253	5		RP	PL	213	10	
22	2843-A	2		AMD	PL	70	1	22	7254	2		AMD	PL	213	11	
22	2843-A	10	F	NEW	PL	101	3	22	7863			NEW	PL	304	1	
22	2847			AFF	PL	37	2	22	8712	2		AMD	PL	232	2	
22	2847			AMD	PL	37	1									
22	3022	2		AMD	PL	284	DDD	2	22-A	203	5	NEW	PL	184	1	
22	3024		1st	AMD	PL	284	EEE	1	22-A	206	9	NEW	PL	284	NNNNNNNN 17	
22	3035	1	A	AMD	PL	284	FFF	1								
22	3035	1	B	AMD	PL	284	FFF	1	23	161	1	AMD	PL	40	1	
22	3035	1	C	COR	RR	2		11	23	244	1	D	AMD	PL	295	1
22	3035	5		AMD	PL	2	F	1	23	244-A	1		AMD	PL	295	2
22	3104	15		NEW	PL	284	NNNNNNNN	8	23	244-B	1		AMD	PL	295	3
22	3104	16		NEW	PL	284	NNNNNNNN	8	23	563		1st	AMD	PL	154	1
22	3173-H			NEW	PL	307		2	23	566	3-A		NEW	PL	154	2
22	3173-I			NEW	PL	307		3	23	706			AMD	PL	9	1
22	3174		3rd	NEW	PL	284	NNNNNNNN	9	23	1917	3		AMD	PL	288	A 30
22	3174-L	3		NEW	PL	265		1	23	1964	3-A		NEW	PL	68	1
22	3174-T	2	C	AMD	PL	284	SSSSSS	1	23	1965	1	D-2	NEW	PL	68	2
22	3174-ZZ			NEW	PL	237		1	23	1965-C			NEW	PL	68	3
22	3271	1		COR	RR	2		12	23	1968	2-D		NEW	PL	68	4
22	3474	2	I	AMD	PL	55		1	23	1973	3		AMD	PL	68	5
22	3474	2	J	AMD	PL	55		2	23	3026-A	2	B-1	NEW	PL	154	3
22	3474	2	K	NEW	PL	55		3	23	3104			AMD	PL	306	1
22	3762	3		AMD	PL	256		1								
22	3762	3	B	AMD	PL	284	NNNNNNNN	10	24	2306			AMD	PL	169	A 1
22	3762	3	B	AMD	PL	290		1	24	2317-B	1-A		NEW	PL	169	A 2
22	3763	11	H	AMD	PL	208		1	24	2317-B	1-B		NEW	PL	169	A 2
22	3763	11	I	AMD	PL	208		1	24	2317-B	16-B		NEW	PL	169	A 3
22	3763	11	J	NEW	PL	208		2	24	2986			AMD	PL	156	2
22	3769-C	1		AMD	PL	284	NNNNNNNN	11								
22	3769-E			NEW	PL	284	NNNNNNNN	12	24-A	216	5		AMD	PL	115	1
22	3769-F			NEW	PL	284	NNNNNNNN	12	24-A	221	1		AMD	PL	169	B 1
22	3785			AMD	PL	256		2	24-A	222	2	B-3	NEW	PL	169	B 2
22	3785	2		RP	PL	284	NNNNNNNN	13	24-A	222	2	D-2	AMD	PL	169	B 3
22	3785	8		AMD	PL	284	NNNNNNNN	14	24-A	222	2	D-6	NEW	PL	169	B 4
22	3789-D	2	F	AMD	PL	110		7	24-A	222	4-C	C	AMD	PL	169	B 5
22	3790	2	B	AMD	PL	284	NNNNNNNN	15	24-A	222	7-C		NEW	PL	169	B 6
22	3790	2	C	AMD	PL	284	NNNNNNNN	15	24-A	222	9	A-1	AMD	PL	169	B 7
22	3790	2	D	NEW	PL	284	NNNNNNNN	16	24-A	222	9	E	AMD	PL	169	B 8
22	4307	4		AMD	PL	130		1	24-A	222	11-C	C	AMD	PL	169	B 9
22	4313	2		AMD	PL	62		1	24-A	222	13-A	A	AMD	PL	169	B 10
22	4314	2		AMD	PL	28		1	24-A	223	1		AMD	PL	169	B 11
22	7246	2		AMD	PL	213		2	24-A	223	2		AMD	PL	169	B 12
22	7249	1		AMD	PL	213		3	24-A	423-A			AMD	PL	169	A 4

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24-A	601	5	E	AMD PL 115		2	24-A	6204			COR RR 2		16
24-A	731-B	1	D	AMD PL 169	C	1	24-A	6401			AMD PL 169	E	1
24-A	731-B	2-B		NEW PL 169	C	2	24-A	6402	2		RP PL 169	E	2
24-A	1102	4		AMD PL 169	A	6	24-A	6402	4		AMD PL 169	E	3
24-A	1152	4		AMD PL 169	A	7	24-A	6402	5		AMD PL 169	E	4
24-A	1402	1	B	AFF PL 152		5	24-A	6402	6		AMD PL 169	E	5
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24-A	1402	11-A		AMD PL 152		2	24-A	6403			AMD PL 169	E	8
24-A	1402	11-B		AFF PL 152		5	24-A	6404			AMD PL 169	E	9
24-A	1402	11-B		NEW PL 152		3	24-A	6405			AMD PL 169	E	10
24-A	1415	3		AFF PL 152		5	24-A	6406	1		RPR PL 169	E	11
24-A	1415	3		AMD PL 152		4	24-A	6406	2		AMD PL 169	E	12
24-A	1420-M	1		AMD PL 115		3	24-A	6406	3		AMD PL 169	E	13
24-A	2014			COR RR 2		13	24-A	6407			RP PL 169	E	14
24-A	2159-D			NEW PL 20		1	24-A	6456	2		RPR PL 169	F	1
24-A	2163-A			RPR PL 84		1	24-A	6458	1		AMD PL 169	F	2
24-A	2189			NEW PL 60		1	24-A	6458	3		NEW PL 169	F	3
24-A	2206	1	B	AMD PL 36		1	24-A	6460	2		AMD PL 169	F	4
24-A	2206	1	C	AMD PL 36		1	24-A	6701	5		AMD PL 169	G	1
24-A	2437	1st		AMD PL 288	A	31	24-A	6701	12		AMD PL 169	G	2
24-A	2756	3		NEW PL 190		1	24-A	6702	3	C	AMD PL 169	G	3
24-A	2842	5		COR RR 2		14	24-A	6706	1	C	AMD PL 169	G	4
24-A	2847-G	4		NEW PL 190		2	24-A	6706	2	D	AMD PL 169	G	5
24-A	2916			AMD PL 11		1	24-A	6706	3		AMD PL 169	G	6
24-A	3362	2		COR RR 2		15	24-A	6706	6		AMD PL 169	G	7
24-A	3714	7		RP PL 15		1	24-A	6707			AMD PL 169	G	8
24-A	3714	8		NEW PL 15		2	24-A	6715			AMD PL 169	G	9
24-A	3714	9		NEW PL 15		2	24-A	6724	2		AMD PL 169	G	10
24-A	3953	1		AMD PL 124		1	24-A	6724	4	B	AMD PL 169	G	11
24-A	4134	1		AMD PL 169	A	8	24-A	6724	4	B-1	NEW PL 169	G	12
24-A	4134	7		AMD PL 169	A	9	24-A	6724	4	C	AMD PL 169	G	13
24-A	4204-A	2		AMD PL 169	A	10	24-A	6724	4	L	AMD PL 169	G	14
24-A	4208			AMD PL 169	A	11	24-A	6806	1		AMD PL 75		1
24-A	4222-B	5		AMD PL 169	A	12							
24-A	4222-B	23		NEW PL 169	A	13	25	1542-A	1	K	AMD PL 204		3
24-A	4222-B	24		NEW PL 169	A	13	25	1542-A	1	K	AMD PL 253		1
24-A	4247	4		NEW PL 190		3	25	1542-A	1	K	AMD PL 258	B	1
24-A	4302	1	K	AMD PL 232		3	25	1542-A	1	L	AMD PL 204		3
24-A	4302	1	L	AMD PL 232		4	25	1542-A	1	L	AMD PL 253		1
24-A	4302	1	M	NEW PL 232		5	25	1542-A	1	L	AMD PL 258	B	1
24-A	4303	21		NEW PL 232		6	25	1542-A	1	M	NEW PL 204		4
24-A	4303	22		NEW PL 232		7	25	1542-A	1	M	NEW PL 253		2
24-A	4303-C			AFF PL 218		3	25	1542-A	1	M	NEW PL 258	B	2
24-A	4303-C			NEW PL 218		2	25	1542-A	1	N	NEW PL 253		2
24-A	4303-D			AFF PL 218		3	25	1542-A	3	L	NEW PL 204		5
24-A	4303-D			NEW PL 218		2	25	1542-A	3	L	NEW PL 253		3
24-A	4317	13		NEW PL 44		1	25	1542-A	3	L	NEW PL 258	B	3
24-A	4318-A			NEW PL 232		8	25	1542-A	3	M	NEW PL 253		3
24-A	4318-B			NEW PL 232		9	25	1542-A	4		AMD PL 253		4
24-A	4379	1st		AMD PL 169	D	1	25	1542-A	4		AMD PL 258	B	4
24-A	4379	2		RP PL 169	D	2	25	1611	5		AMD PL 229		6
24-A	4379	4-A		NEW PL 169	D	3	25	2014			NEW PL 175		1
24-A	4379	4-B		NEW PL 169	D	3	25	2396	7		AMD PL 284	LLLLL	1
24-A	4379	5		AMD PL 169	D	4	25	2450		1st	AMD PL 284	MMMMM	1
24-A	4379	8	A	AMD PL 169	D	5	25	2915			AMD PL 156		3
24-A	4386	2	A	AMD PL 169	D	6	25	2934	1		AMD PL 48		1
24-A	4551			AMD PL 129		1	25	2934-A			NEW PL 48		2

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25	3702-C			AMD	PL	90	1	26	1198	2	J	AMD	PL	117	11	
25	3801			RP	PL	86	2	26	1221	3	A	AMD	PL	117	12	
25	3821			AMD	PL	156	4	26	1221	3	A	AMD	PL	284	CCCCC 2	
								26	1221	3	C-1	RP	PL	284	CCCCC 3	
26	41			AMD	PL	219	1	26	1221	4	B	AMD	PL	284	CCCCC 4	
26	42-B	1		AMD	PL	219	2	26	1221	4-A	B	AMD	PL	284	CCCCC 5	
26	42-B	3		AMD	PL	219	3	26	1226			AMD	PL	284	AAAAA 4	
26	44		1st	AMD	PL	219	4	26	1401-A	2	I	AMD	PL	110		
26	46		6th	AMD	PL	219	5	26	1411-A	1		RPR	PL	111	1	
26	597			AMD	PL	219	6	26	1411-A	1-A		NEW	PL	111	2	
26	601			AMD	PL	219	7	26	1411-A	2		RP	PL	111	3	
26	621-A	1		AMD	PL	219	8	26	1411-A	3	A	AMD	PL	111	4	
26	621-A	2		AMD	PL	219	9	26	1411-A	3	D	AMD	PL	111	5	
26	622			AMD	PL	219	10	26	1411-A	4		RP	PL	111	6	
26	626		1st	AMD	PL	219	11	26	1411-A	5		AMD	PL	111	7	
26	626		last	AMD	PL	219	12	26	1411-A	6		AMD	PL	111	8	
26	663	3	H	RP	PL	219	13	26	1411-D			AMD	PL	111	9	
26	663	9		RP	PL	219	14	26	1412-B			AMD	PL	111	10	
26	664	1		AMD	IB	2	1	26	1414	1		AMD	PL	111	11	
26	664	2		AMD	IB	2	2	26	1415			RP	PL	111	12	
26	664	2		AMD	PL	272	1	26	1415-A			RP	PL	111	12	
26	664	3	F	AMD	PL	219	15	26	1415-B			RP	PL	111	12	
26	668			RP	PL	219	16	26	1415-C			RP	PL	111	12	
26	673			NEW	PL	268	1	26	1415-D			RP	PL	111	12	
26	701-A			RP	PL	219	17	26	2001	4		AMD	PL	110	11	
26	702			RP	PL	219	17	26	2001	5		AMD	PL	110	11	
26	704			RP	PL	219	17	26	2003			AMD	PL	110	12	
26	771			AMD	PL	286	1	26	2004-A			AMD	PL	110	13	
26	772	2		AMD	PL	286	2	26	2006	1		AMD	PL	110	14	
26	773			RP	PL	286	3	26	2006	1	I	AMD	PL	259	1	
26	773-A			NEW	PL	286	4	26	2006	1	J	AMD	PL	259	1	
26	774	1		AMD	PL	286	5	26	2006	1	K	NEW	PL	259	2	
26	774	7		NEW	PL	219	18	26	2006	2		AMD	PL	110	15	
26	775	4		AMD	PL	286	6	26	2006	4		AMD	PL	110	16	
26	775	5		AMD	PL	286	7	26	2006	5-B	C	AMD	PL	110	17	
26	775	6		AMD	PL	286	8	26	2006	5-D		AMD	PL	110	18	
26	777			AMD	PL	286	9	26	2006	7	A	AMD	PL	110	19	
26	781	2		AMD	PL	286	10	26	2007			AMD	PL	110	20	
26	806	1-A		NEW	PL	162	1	26	2023	1	C	AMD	PL	110	21	
26	807			AMD	PL	162	2	26	2033	4	A	AMD	PL	110	22	
26	1043	2		AMD	PL	117	1	26	2105		1st	AMD	PL	219	19	
26	1043	11	F	AMD	PL	117	2	26	2171-A	1		AMD	PL	110	23	
26	1043	19		AMD	PL	117	3	26	3101			RP	PL	110	24	
26	1081	4		NEW	PL	284	ZZZZ	1	26	3101-A		NEW	PL	110	25	
26	1082	14	A	AMD	PL	284	AAAAA	1	26	3209	1	B	AMD	PL	110	26
26	1082	14	B	AMD	PL	284	AAAAA	1	26	3209	4	C	AMD	PL	110	27
26	1082	14	C	RP	PL	284	AAAAA	2	26	3302	3		AMD	PL	110	28
26	1082	14	D	AMD	PL	284	AAAAA	3	26	3302	4		AMD	PL	110	28
26	1166	3		RP	PL	284	BBBBB	1	26	3303	1		AMD	PL	110	29
26	1191	3		AMD	PL	284	CCCCC	1	26	3303	5		AMD	PL	110	30
26	1192	6-E		AMD	PL	110		8	26	3304	1	G	AMD	PL	110	31
26	1192	6-E		AMD	PL	117		4	26	3304	2	B	AMD	PL	110	32
26	1192	13		AMD	PL	117		5	26	3305	2	D	AMD	PL	110	33
26	1193	1	A	AMD	PL	117		6								
26	1193	1	C	AMD	PL	117		7	27	401			AMD	PL	180	1
26	1193	1	D	NEW	PL	117		8								
26	1193	7-A		AMD	PL	117		9	28-A	2	15	F-1	NEW	PL	17	1
26	1198	1	F	AMD	PL	117		10	28-A	2	15	G	AMD	PL	167	1
26	1198	2	J	AMD	PL	110		9	28-A	2	16-A		AMD	PL	301	1

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28-A	2	26			AMD PL 167		2	29-A	101	80-A			NEW PL 229		7
28-A	2	31			AMD PL 301		2	29-A	101	93			AMD PL 165		2
28-A	10	2-B	B		AMD PL 167		3	29-A	152	2			AMD PL 229		8
28-A	453	2-C			AMD PL 167		4	29-A	201	1			AMD PL 229		9
28-A	453	2-D			RP PL 167		5	29-A	201	3			AMD PL 229		10
28-A	453-A	9			RP PL 167		6	29-A	256				AMD PL 229		11
28-A	453-D	1			AMD PL 167		7	29-A	409	1			AMD PL 67		1
28-A	453-D	2			RP PL 167		8	29-A	409	2			AMD PL 67		1
28-A	453-D	3			NEW PL 167		9	29-A	409	3			AMD PL 67		1
28-A	601	2	J		AMD PL 167		10	29-A	409	5			AMD PL 67		2
28-A	652	6			AMD PL 167		11	29-A	502	1			AMD PL 67		3
28-A	653	2	D-1		NEW PL 13		1	29-A	503	1			AMD PL 67		4
28-A	706	1			AMD PL 167		12	29-A	508				RP PL 67		5
28-A	708	6			AMD PL 153		1	29-A	519-A				NEW PL 302		1
28-A	708		1st		AMD PL 153		2	29-A	523	2			AMD PL 43		1
28-A	712	2			AMD PL 167		13	29-A	523	3			AMD PL 43		2
28-A	714	1	A		AMD PL 167		14	29-A	523	5			AMD PL 8		1
28-A	1001	3	F-1		NEW PL 17		2	29-A	525	6	B		AMD PL 229		12
28-A	1001	3	G		AMD PL 167		15	29-A	525	9-A			AMD PL 165		3
28-A	1003	3	F-1		NEW PL 17		3	29-A	525	10			AMD PL 229		13
28-A	1003	3	G		AMD PL 167		16	29-A	525	15			NEW PL 229		14
28-A	1004	3	F-1		NEW PL 17		4	29-A	558-A	2	A		AMD PL 165		4
28-A	1004	3	G		AMD PL 167		17	29-A	654	2			AMD PL 229		15
28-A	1005	3	F-1		NEW PL 17		5	29-A	754	1			AMD PL 229		16
28-A	1005	3	G		AMD PL 167		18	29-A	901	4			AMD PL 229		17
28-A	1012	2			AMD PL 17		6	29-A	1002	8	B		AMD PL 229		18
28-A	1012	4			AMD PL 17		7	29-A	1253	6			NEW PL 192		1
28-A	1012	4			AMD PL 167		19	29-A	1260				AFF PL 27		10
28-A	1052	4	G		AMD PL 260		1	29-A	1260				NEW PL 27		1
28-A	1054				AMD PL 13		2	29-A	1301	2-A			AFF PL 27		10
28-A	1071	6			COR RR 2		17	29-A	1301	2-A			AMD PL 27		2
28-A	1073				AMD PL 167		20	29-A	1301	6-A			AMD PL 229		19
28-A	1075				AMD PL 17		8	29-A	1303	2	A		AMD PL 229		20
28-A	1075-A				AMD PL 17		9	29-A	1304	1-A			AMD PL 79		1
28-A	1075-A	1	A		AMD PL 167		21	29-A	1304	2	C		AMD PL 229		21
28-A	1075-A	2			AMD PL 167		22	29-A	1304	2	E		AMD PL 229		22
28-A	1075-A	2-A			AMD PL 167		23	29-A	1304	2	H		AFF PL 283	C	6
28-A	1076	7	D		AMD PL 260		2	29-A	1304	2	H		AMD PL 283	C	1
28-A	1355-A	2	D		AMD PL 34		1	29-A	1307	1			AFF PL 283	C	6
28-A	1355-A	2	I		AMD PL 34		1	29-A	1307	1			AMD PL 283	C	2
28-A	1355-A	2	I		AMD PL 280		1	29-A	1307	2			AFF PL 283	C	6
28-A	1355-A	2	K		NEW PL 123		1	29-A	1307	2			AMD PL 283	C	2
28-A	1355-A	2-A			NEW PL 280		2	29-A	1307	3			AFF PL 283	C	6
28-A	1355-A	5	E		AMD PL 280		3	29-A	1307	3			AMD PL 283	C	2
28-A	1366	1			AMD PL 168		1	29-A	1307	4			AFF PL 283	C	6
28-A	1366	3			AMD PL 168		2	29-A	1307	4			AMD PL 283	C	3
28-A	1366	4			AMD PL 168		3	29-A	1352				AMD PL 229		23
28-A	1367				NEW PL 168		4	29-A	1353				AMD PL 229		24
28-A	1402-A	4			AMD PL 35		1	29-A	1401	2			AMD PL 229		25
28-A	1504	5			AMD PL 35		2	29-A	1401	6			AMD PL 229		26
28-A	2513				AMD PL 77		1	29-A	1401	9			AFF PL 27		10
28-A	2519	1			AMD PL 167		24	29-A	1401	9			AMD PL 27		3
28-A	2519	2			AMD PL 167		25	29-A	1405	3			AFF PL 27		10
28-A	2519	4			RP PL 167		26	29-A	1405	3			AMD PL 27		4
28-A	2519	6-B			AMD PL 167		27	29-A	1405	3			AMD PL 229		27
28-A	2519	7			AMD PL 167		28	29-A	1406-A	1			AFF PL 27		10
28-A	2519	8			AMD PL 167		29	29-A	1406-A	1			AMD PL 27		5
28-A	2519	9			AMD PL 167		30	29-A	1406-A	2			AFF PL 27		10
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29-A	1406-A	2-A		NEW	PL 229		28	30-A	3972	1	B	AMD	PL 126		1
29-A	1408	1		AMD	PL 229		29	30-A	3972	2	C	AMD	PL 126		2
29-A	1408	2		AMD	PL 229		30	30-A	3972	2	D	RP	PL 126		3
29-A	1410	2-A		NEW	PL 229		31	30-A	3972	6		AMD	PL 126		4
29-A	1410	8		AFF	PL 27		10	30-A	4173	5		AMD	PL 198		1
29-A	1410	8		AMD	PL 27		6	30-A	4401	4		AMD	PL 104		1
29-A	1410	11		AFF	PL 27		10	30-A	4402	4		AMD	PL 104		2
29-A	1410	11		NEW	PL 27		7	30-A	4402	5	D	AMD	PL 104		3
29-A	1605	6		AMD	PL 165		5	30-A	4402	6		NEW	PL 104		4
29-A	1752	3		AMD	PL 165		6	30-A	4406	1	B	AMD	PL 104		5
29-A	1854	1		AMD	PL 240		1	30-A	4482	3		NEW	PL 241		4
29-A	1854	1-A		NEW	PL 240		2	30-A	4482-A			NEW	PL 241		5
29-A	1854	2		AMD	PL 240		3	30-A	4482-B			NEW	PL 241		6
29-A	1854	3		AMD	PL 240		4	30-A	4702	1		AFF	PL 234		42
29-A	1856	1		AMD	PL 240		5	30-A	4702	1		AMD	PL 234		3
29-A	1857			AMD	PL 240		6	30-A	4702	5		RP	PL 234		4
29-A	1861		1st	AMD	PL 120		1	30-A	4702	10	A	AMD	PL 234		5
29-A	1863			NEW	PL 120		2	30-A	4702	10-A		NEW	PL 234		6
29-A	1951			AMD	PL 165		7	30-A	4702	13		RP	PL 234		7
29-A	1953	2	C	RP	PL 165		8	30-A	4706	5		NEW	PL 234		8
29-A	2054	1	B	AMD	PL 229		32	30-A	4706	6		NEW	PL 234		8
29-A	2054	2	A	AMD	PL 26		1	30-A	4706	7		NEW	PL 234		8
29-A	2054	2	D	AMD	PL 21		1	30-A	4721	5		NEW	PL 234		9
29-A	2054	2	F	AMD	PL 21		2	30-A	4722	1	F	AMD	PL 234		10
29-A	2073		last	NEW	PL 23		1	30-A	4722	1	K	AMD	PL 234		11
29-A	2083	1	A	AMD	PL 51		1	30-A	4722	1	M	RP	PL 234		12
29-A	2083	1	B	AMD	PL 51		2	30-A	4722	1	N	AMD	PL 288	B	4
29-A	2083	1	C	AMD	PL 51		3	30-A	4722	1	O	AMD	PL 234		13
29-A	2083	2		AMD	PL 51		4	30-A	4722	1	W	AMD	PL 234		14
29-A	2091-A			NEW	PL 132		1	30-A	4722	1	Y	RP	PL 234		15
29-A	2120			NEW	PL 165		9	30-A	4722	1	CC	AMD	PL 234		16
29-A	2303	1	C	RP	PL 229		33	30-A	4722	1	DD	AMD	PL 234		17
29-A	2303	5		AFF	PL 283	C	6	30-A	4722	1	EE	NEW	PL 234		18
29-A	2303	5		AMD	PL 283	C	4	30-A	4722	1	FF	NEW	PL 234		18
29-A	2360-A	1		AMD	PL 288	A	32	30-A	4724	2		AMD	PL 234		19
29-A	2390	1		AMD	PL 165		10	30-A	4741	10		AMD	PL 234		20
29-A	2390	1	K	NEW	PL 229		34	30-A	4741	11		AMD	PL 234		20
29-A	2395	4		AMD	PL 25		1	30-A	4741	12		COR	RR 2		19
29-A	2411	1-A	D	COR	RR 2		18	30-A	4741	17		AMD	PL 234		21
29-A	2411	5-A		AMD	PL 99		1	30-A	4752	2		RP	PL 234		22
29-A	2413	3		AMD	PL 107		1	30-A	4753	2		RP	PL 234		23
29-A	2434	4		AMD	PL 99		2	30-A	4754	3		AMD	PL 234		24
29-A	2451	3		AMD	PL 229		35	30-A	4755			AMD	PL 234		25
29-A	2472	2-B		AMD	PL 229		36	30-A	4771	4		RP	PL 234		26
								30-A	4832	1		AMD	PL 234		27
30-A	103	1		RP	PL 212		1	30-A	4854	3		AMD	PL 234		28
30-A	701	2-C		AMD	PL 281		1	30-A	4854	3-A		NEW	PL 234		29
30-A	701	2-C		AMD	PL 284	V	1	30-A	4863	5		AMD	PL 234		30
30-A	741-A		1st	AMD	PL 195		1	30-A	4871	2		AMD	PL 234		31
30-A	747			NEW	PL 195		2	30-A	4912			RP	PL 234		32
30-A	757	2	A	AMD	PL 248		8	30-A	4913			RP	PL 234		33
30-A	853	4		AMD	PL 78		1	30-A	4921			RP	PL 234		34
30-A	1662			NEW	PL 214		2	30-A	4922			RP	PL 234		34
30-A	2528	4	C	AMD	PL 248		9	30-A	4926			RP	PL 234		34
30-A	2531-B		1st	AMD	PL 191		1	30-A	4927			RP	PL 234		34
30-A	2532			AMD	PL 191		2	30-A	4928			RP	PL 234		34
30-A	2691	3	C	AMD	PL 241		1	30-A	4951			RP	PL 234		35
30-A	2691	3	F	AMD	PL 241		2	30-A	4952			RP	PL 234		35
30-A	2691	3	H	NEW	PL 241		3	30-A	4973	2		AMD	PL 234		36

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30-A	5002	10	RP	PL 234		37	32	2171		NEW	PL 258	A	1
30-A	5002	13	RP	PL 234		37	32	2172		NEW	PL 258	A	1
30-A	5003		RP	PL 234		38	32	2173		NEW	PL 258	A	1
30-A	5011		RP	PL 234		39	32	2174		NEW	PL 258	A	1
30-A	5012		RP	PL 234		39	32	2175		NEW	PL 258	A	1
30-A	5013		RP	PL 234		39	32	2176		NEW	PL 258	A	1
30-A	5014		RP	PL 234		39	32	2177		NEW	PL 258	A	1
30-A	5021		RP	PL 234		39	32	2178		NEW	PL 258	A	1
30-A	5022		RP	PL 234		39	32	2179		NEW	PL 258	A	1
30-A	5023		RP	PL 234		39	32	2180		NEW	PL 258	A	1
30-A	5024		RP	PL 234		39	32	2181		NEW	PL 258	A	1
30-A	5025		RP	PL 234		39	32	2210	1	D	AMD	PL 213	12
30-A	5031		RP	PL 234		39	32	2210	2	B	AMD	PL 213	13
30-A	5032		RP	PL 234		39	32	2210	6		NEW	PL 186	1
30-A	5033		RP	PL 234		39	32	2211		NEW	PL 188		1
30-A	5034		RP	PL 234		39	32	2212		NEW	PL 305		1
30-A	5035		RP	PL 234		39	32	2258-B		NEW	PL 305		2
30-A	5036		RP	PL 234		39	32	2571-A		NEW	PL 253		5
30-A	5047	1	B	AMD	PL 234	40	32	2581		3rd	NEW	PL 189	1
30-A	5048	1		COR	RR 2	20	32	2582			NEW	PL 119	1
30-A	5051		RP	PL 234		41	32	2594-E	5	C	AMD	PL 288	A 33
30-A	5052		RP	PL 234		41	32	2600-C	1	D	AMD	PL 213	14
30-A	5053		RP	PL 234		41	32	2600-C	2	B	AMD	PL 213	15
30-A	5054		RP	PL 234		41	32	2600-C	6		NEW	PL 186	2
30-A	5055		RP	PL 234		41	32	3111-A		last	NEW	PL 80	1
30-A	5056		RP	PL 234		41	32	3270-E	5	C	AMD	PL 288	A 34
30-A	5722	4		AMD	PL 33	1	32	3270-F			NEW	PL 119	2
30-A	5951	2	A	COR	RR 2	21	32	3271	2		AMD	PL 189	2
30-A	7051	11		AMD	PL 3	1	32	3275-A			NEW	PL 253	6
30-A	7502	1		AMD	PL 193	1	32	3280-A	1	B	AMD	PL 63	1
							32	3300-F	1	D	AMD	PL 213	16
32	84	4		RPR	PL 276	1	32	3300-F	2	B	AMD	PL 213	17
32	1101			AMD	PL 198	2	32	3300-F	6		NEW	PL 186	3
32	1102	1-A	B	AMD	PL 198	3	32	3301	5		AMD	PL 210	D 1
32	1102	1-B		AMD	PL 198	4	32	3301	6		AMD	PL 210	D 2
32	1102-B			RP	PL 198	5	32	3302	1		AMD	PL 210	D 3
32	1102-C			NEW	PL 198	6	32	3403-B	2		AMD	PL 210	D 4
32	1102-D			NEW	PL 198	6	32	3501	2	B	AMD	PL 4	1
32	1103			AMD	PL 198	7	32	3501	2-B		AMD	PL 4	2
32	1104			AMD	PL 198	8	32	3501	3		AMD	PL 210	D 5
32	1105	5		RP	PL 198	9	32	3501-A			AMD	PL 210	D 6
32	1151		2nd	AMD	PL 198	10	32	3507			RP	PL 210	D 7
32	1152			RP	PL 198	11	32	3551	4		AMD	PL 14	1
32	1153-A			AMD	PL 198	12	32	3657	1	D	AMD	PL 213	18
32	1155-B	1	A	AMD	PL 198	13	32	3657	2	B	AMD	PL 213	19
32	1201			AMD	PL 198	14	32	3657	6		NEW	PL 186	4
32	1201-A	4		AMD	PL 198	15	32	4171	2-A		NEW	PL 137	A 1
32	1202			RP	PL 198	16	32	4174			AMD	PL 137	A 2
32	1202-A			NEW	PL 198	17	32	4179		1st	AMD	PL 137	A 3
32	1206			AMD	PL 198	18	32	4700-H	8		NEW	PL 230	4
32	1207			NEW	PL 198	19	32	6207-B			NEW	PL 265	2
32	1405		2nd	AMD	PL 284	GGG 1	32	6214-D	1	D	AMD	PL 265	3
32	1405		last	AMD	PL 101	4	32	7054-A		last	RP	PL 210	E 1
32	1501		1st	AMD	PL 210	C 1	32	11002	1-B		NEW	PL 216	2
32	1503-A			AMD	PL 210	C 2	32	11002	5-A		NEW	PL 216	3
32	1751	4-A		NEW	PL 113	1	32	11002	8-C		NEW	PL 216	4
32	1852			AMD	PL 113	2	32	11013	9		NEW	PL 216	5
32	1854			AMD	PL 113	3	32	11013	10		NEW	PL 216	5

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TITLE	SECTION	SUB	PARA	EFF	CHAPTER	PART	SEC	TITLE	SECTION	SUB	PARA	EFF	CHAPTER	PART	SEC
32	11019			NEW	PL 216		6	32	18504			NEW	PL 253		7
32	11031	3	A	AMD	PL 216		7	32	18505			NEW	PL 253		7
32	11053			AMD	PL 216		8	32	18506			NEW	PL 253		7
32	11054	1-A		NEW	PL 216		9	32	18507			NEW	PL 253		7
32	11054	2		AMD	PL 216		10	32	18508			NEW	PL 253		7
32	11054	3		AMD	PL 216		10	32	18509			NEW	PL 253		7
32	13067-A	9		AMD	PL 210	F	1	32	18510			NEW	PL 253		7
32	13180			AMD	PL 210	F	2	32	18511			NEW	PL 253		7
32	13182			AMD	PL 210	F	3	32	18512			NEW	PL 253		7
32	13183			AMD	PL 210	F	4	32	18513			NEW	PL 253		7
32	13193			AMD	PL 210	F	5	32	18514			NEW	PL 253		7
32	13198	3		AMD	PL 210	F	6	32	18515			NEW	PL 253		7
32	13199	3		AMD	PL 210	F	7	32	18516			NEW	PL 253		7
32	13702-A	28		AMD	PL 185		1	32	18517			NEW	PL 253		7
32	13759			NEW	PL 267		1	32	18518			NEW	PL 253		7
32	13815			RPR	PL 249		2	32	18519			NEW	PL 253		7
32	14041			NEW	PL 270		1	32	18520			NEW	PL 253		7
32	14042			NEW	PL 270		1	32	18521			NEW	PL 253		7
32	14043			NEW	PL 270		1	32	18522			NEW	PL 253		7
32	14044			NEW	PL 270		1	32	18523			NEW	PL 253		7
32	14045			NEW	PL 270		1	32	18524			NEW	PL 253		7
32	14046			NEW	PL 270		1	32	18525			NEW	PL 253		7
32	14047			NEW	PL 270		1								
32	14048			NEW	PL 270		1	33	173	4	D	AMD	PL 181		1
32	14049			NEW	PL 270		1	33	173	5		AMD	PL 181		2
32	14049-A			NEW	PL 270		1	33	173	6		NEW	PL 181		3
32	14049-B			NEW	PL 270		1	33	352			AMD	PL 196		1
32	14049-C			NEW	PL 270		1	33	353-A			AMD	PL 196		2
32	14049-D			NEW	PL 270		1	33	353-B			AMD	PL 196		3
32	14049-E			NEW	PL 270		1	33	459			NEW	PL 194		1
32	14049-F			NEW	PL 270		1	33	479-C			AMD	PL 284	TT	1
32	14049-G			NEW	PL 270		1	33	589	6		AMD	PL 210	B	40
32	14049-H			NEW	PL 270		1	33	752	1		AMD	PL 116		1
32	14049-I			NEW	PL 270		1								
32	14049-J			NEW	PL 270		1	34-A	1001	8-A		AMD	PL 148		5
32	14049-K			NEW	PL 270		1	34-A	1001	11		AMD	PL 148		6
32	14507	2		AMD	PL 210	G	1	34-A	1001	11-B		AMD	PL 147		1
32	14507	3		AMD	PL 210	G	2	34-A	1001	12-A		AMD	PL 147		2
32	14507	4		RP	PL 210	G	3	34-A	1214	1	A	RP	PL 128		5
32	15109	1	B	RP	PL 210	H	1	34-A	1214	1	B	RP	PL 128		5
32	15109	3	B	RP	PL 210	H	2	34-A	1214	2	A	AMD	PL 128		6
32	15113		last	AMD	PL 210	H	3	34-A	1214	2	B	AMD	PL 128		6
32	18133	2	B	AMD	PL 210	I	1	34-A	1219			NEW	PL 214		3
32	18134-A			AMD	PL 288	C	3	34-A	1403	13		NEW	PL 284	JJJ	1
32	18135			AMD	PL 210	I	2	34-A	1406			NEW	PL 284	SSSSS	1
32	18138			AMD	PL 210	I	3	34-A	3049	8		RP	PL 147		3
32	18139			AMD	PL 210	I	4	34-A	3061	1		AMD	PL 148		7
32	18140			AMD	PL 210	I	5	34-A	3069-A	6		RP	PL 147		4
32	18141			AMD	PL 210	I	6	34-A	3069-B	6		RP	PL 147		5
32	18308	1	D	AMD	PL 213		20	34-A	3601			RP	PL 148		8
32	18308	2	B	AMD	PL 213		21	34-A	3602			RP	PL 148		8
32	18308	6		NEW	PL 186		5	34-A	3603			RP	PL 148		8
32	18325	1-A		NEW	PL 210	J	1	34-A	3604			RP	PL 148		8
32	18344	1	B	COR	RR 2		22	34-A	3605			RP	PL 148		8
32	18345	2	A	AMD	PL 139		1	34-A	3816			RP	PL 148		9
32	18371	4		AMD	PL 288	A	35	34-A	4101			AMD	PL 148		10
32	18501			NEW	PL 253		7	34-A	4102-A			AMD	PL 148		11
32	18502			NEW	PL 253		7	34-A	4102-B			NEW	PL 148		12
32	18503			NEW	PL 253		7	34-A	4103	1		AMD	PL 148		13

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34-A	4103	2		AMD	PL	148	35-A	3210-C	3		AMD	PL	134	2
34-A	4104			AMD	PL	148	35-A	3403	3		AMD	PL	170	G 2
34-A	4105			AMD	PL	148	35-A	4706-C			NEW	PL	83	1
34-A	4106			AMD	PL	148	35-A	6801			AMD	PL	58	1
34-A	4107			AMD	PL	148	35-A	6802			AMD	PL	58	2
34-A	4108	1		AMD	PL	148	35-A	6803			AMD	PL	58	3
34-A	4111	1		AMD	PL	148	35-A	6804	1	D	AMD	PL	58	4
34-A	4111	2		AMD	PL	148	35-A	6807			AMD	PL	58	5
34-A	4112			RP	PL	148	35-A	7101-B	2		RP	PL	73	2
34-A	4113			RP	PL	148	35-A	7101-B	3		RP	PL	73	3
34-A	4114			RP	PL	148	35-A	7101-B	4		NEW	PL	73	4
34-A	4115			RP	PL	148	35-A	7104-B	2		AMD	PL	244	1
34-A	4116			RP	PL	148	35-A	7104-B	2-A		AMD	PL	244	2
34-A	4117			AMD	PL	148	35-A	7104-B	3		AMD	PL	244	3
34-A	4118			NEW	PL	148	35-A	7303			RP	PL	73	5
34-A	5402	2	H	AMD	PL	148	35-A	7304			RP	PL	73	6
34-A	9001			RP	PL	127	35-A	7306			RP	PL	73	7
34-A	9002			RP	PL	127	35-A	7307			RP	PL	73	8
34-A	9003			RP	PL	127	35-A	7308			RP	PL	73	9
34-A	9004			RP	PL	127	35-A	7501-B			AMD	PL	73	10
34-A	9005			RP	PL	127	35-A	10104	9		AMD	PL	110	34
34-A	9006			RP	PL	127	35-A	10106	1		AMD	PL	163	2
34-A	9006-A			RP	PL	127	35-A	10109	3-A		AMD	PL	282	1
34-A	9007			RP	PL	127	35-A	10109	4	A	AMD	PL	282	2
34-A	9008			RP	PL	127	35-A	10111	2		AMD	PL	282	3
34-A	9009			RP	PL	127								
34-A	9010			RP	PL	127	36	111	1-A		AMD	PL	24	1
34-A	9011			RP	PL	127	36	112	2-A		NEW	PL	284	T 1
34-A	9012			RP	PL	127	36	175-A	1		AMD	PL	211	A 2
34-A	9013			RP	PL	127	36	175-A	1-A		NEW	PL	211	A 3
34-A	9014			RP	PL	127	36	175-A	3		AMD	PL	211	A 4
34-A	9015			RP	PL	127	36	175-A	4		AMD	PL	211	A 5
34-A	9016			RP	PL	127	36	175-A	5		NEW	PL	16	1
34-A	11273	14	A	AMD	PL	65	36	186		1st	AMD	PL	211	A 6
34-A	11273	15	A	AMD	PL	65	36	191	2		AMD	PL	170	A 1
							36	191	2	I	AMD	PL	211	A 7
34-B	1207	1	B	AMD	PL	147	36	191	2	R	AMD	PL	211	A 8
34-B	1207	1	B-3	AMD	PL	93	36	191	2	ZZ	RPR	PL	288	B 5
34-B	1207	1	B-3	RP	PL	147	36	191	2	AAA	RPR	PL	288	B 6
34-B	1931			RP	PL	93	36	191	2	CCC	NEW	PL	211	A 9
34-B	1951	1		COR	RR	2	36	191	2	DDD	NEW	PL	284	UUUU 16
34-B	6205			AMD	PL	148	36	191	2	DDD	NEW	PL	297	1
							36	194	3		RP	PL	211	E 2
35-A	303			AMD	PL	73	36	194-A			AFF	PL	211	E 9
35-A	711			AMD	PL	199	36	194-A			AMD	PL	211	E 3
35-A	1912			AMD	PL	22	36	199-B	1		AMD	PL	211	E 4
35-A	2301			AMD	PL	199	36	200	1		AMD	PL	211	E 5
35-A	2501	2		AMD	PL	199	36	208			AMD	PL	288	A 36
35-A	3132	2		AMD	PL	201	36	208-A	6		AMD	PL	211	E 6
35-A	3132	2-C	B	AMD	PL	201	36	305	1		AMD	PL	170	B 1
35-A	3132	2-C	C	RP	PL	201	36	327	3		AMD	PL	170	B 2
35-A	3132	2-D		NEW	PL	201	36	576		1st	AMD	PL	170	B 3
35-A	3132-A	1		AMD	PL	201	36	576		2nd	AMD	PL	170	B 3
35-A	3132-A	1-A		NEW	PL	201	36	578	1		AMD	PL	170	B 4
35-A	3203	4-B		NEW	PL	74	36	578	1	C	AMD	PL	288	A 37
35-A	3203	4-C		NEW	PL	74	36	603	1-A		AMD	PL	170	B 5
35-A	3204	11		NEW	PL	287	36	605			AMD	PL	288	A 38
35-A	3210	3-A	A	AMD	PL	291	36	606			AMD	PL	288	A 39
35-A	3210-C	1	F-1	NEW	PL	134	36	653	1	E	AMD	PL	170	B 6

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36	653	1	I	AMD	PL 288	B	7	36	4641-C	4		AMD	PL 288	B	8
36	655	1	D	AMD	PL 288	A	40	36	5111	6		NEW	IB 4		2
36	683	3		AMD	PL 284	G	1	36	5111	6		RP	PL 284	D	2
36	683	4		AMD	PL 284	G	1	36	5122	1	S	RP	PL 170	E	1
36	685	2		AMD	PL 284	G	2	36	5122	1	V	RP	PL 170	E	2
36	691	1	A	AMD	PL 170	B	7	36	5122	1	II	AMD	PL 170	D	1
36	691	1	A	AMD	PL 211	A	10	36	5122	1	JJ	RP	PL 170	D	2
36	693	1		AMD	PL 170	B	8	36	5122	1	KK	RP	PL 211	D	1
36	696			AMD	PL 211	A	11	36	5122	2	M	AMD	PL 170	H	1
36	697			AMD	PL 211	A	11	36	5122	2	M-1	AMD	PL 170	H	2
36	698			RP	PL 211	A	12	36	5122	2	M-2	AMD	PL 170	H	3
36	841	2		AMD	PL 273		1	36	5122	2	X	AMD	PL 170	D	3
36	943		6th	AMD	PL 288	A	41	36	5122	2	BB	RP	PL 170	D	4
36	1102	4	C	NEW	PL 183		1	36	5124-B		1st	AMD	PL 170	D	5
36	1105		2nd	AMD	PL 288	A	42	36	5124-B	3		NEW	PL 170	D	6
36	1106-A	2		AMD	PL 288	A	43	36	5125	3	C	AMD	PL 211	D	2
36	1482	6	A	AMD	PL 288	A	44	36	5125	3	D	AMD	PL 211	D	3
36	1487	2		AMD	PL 170	B	9	36	5125	3	G	RP	PL 211	D	4
36	1487	2-A		AMD	PL 288	A	45	36	5125	6		NEW	PL 170	D	7
36	1504	9	D	AMD	PL 211	A	13	36	5206-F			AMD	PL 211	D	5
36	1612			NEW	PL 193		2	36	5216-B	2		AMD	PL 170	E	3
36	1752	3-B	B	AMD	PL 170	C	1	36	5217-B			RP	PL 170	E	4
36	1752	8-A	C	AMD	PL 170	C	2	36	5217-D	1	B-1	RPR	PL 288	A	49
36	1752	8-D		RP	PL 170	C	3	36	5217-D	3		AMD	PL 170	D	8
36	1760	5-A		RPR	PL 170	C	4	36	5219-P			RP	PL 170	E	5
36	1760	20		RPR	PL 170	C	5	36	5219-BB	6		AMD	PL 170	E	6
36	1760	33		AMD	PL 211	B	1	36	5219-CC			RP	PL 170	E	7
36	1760	47-A		AMD	PL 288	A	46	36	5219-HH	6		AMD	PL 170	E	8
36	1760	89		RP	PL 170	F	1	36	5219-KK	1	A	AMD	PL 211	D	6
36	1760	101		NEW	PL 211	B	2	36	5219-KK	2		AMD	PL 211	D	7
36	1761			AMD	PL 170	C	6	36	5219-NN			RPR	PL 211	D	8
36	1812	1		AFF	PL 211	B	9	36	5219-OO			NEW	PL 211	D	9
36	1812	1		RP	PL 211	B	3	36	5219-PP			NEW	PL 211	D	10
36	1812	1-A		AFF	PL 211	B	9	36	5219-QQ			NEW	PL 297		2
36	1812	1-A		NEW	PL 211	B	4	36	5231	1-A		AMD	PL 211	D	11
36	1812	2		AFF	PL 211	B	9	36	5242			AMD	PL 211	D	12
36	1812	2		AMD	PL 211	B	5	36	5275			RP	PL 170	D	9
36	1812	3		AFF	PL 211	B	9	36	5276-A	7		AMD	PL 211	D	13
36	1812	3		RP	PL 211	B	6	36	5283-A	1		AMD	PL 284	AAAA	2
36	1814	2		AMD	PL 170	C	7	36	5283-A	1		AMD	PL 284	DDDD	2
36	1817			NEW	IB 5		3	36	5285-A			RP	PL 284	AAAA	3
36	1817	8		NEW	PL 1		21	36	5290			RP	PL 284	DDDD	3
36	1951-B			AFF	PL 245		2	36	5403	4		AMD	PL 170	D	10
36	1951-B			NEW	PL 245		1	36	6271	3		AMD	PL 170	B	10
36	2011			AMD	PL 257		1	36	6652	1-C	B	AMD	PL 211	A	14
36	2017			RP	PL 170	F	2	36	6656	1-A	B	AMD	PL 170	B	11
36	2513		3rd	AMD	PL 288	A	47	36	6664			RP	PL 211	E	8
36	2535			NEW	PL 211	C	1	36	6754	2	D	RP	PL 170	E	9
36	2551	2-A		NEW	PL 257		2	36	6851	8	B	COR	RR 2		25
36	2551	6		AMD	PL 170	C	8	36	7302			RP	PL 284	GG	6
36	2551	11		COR	RR 2		24								
36	2555		1st	AMD	PL 257		3	37-B	3	1	D	AMD	PL 108		1
36	2555-A			NEW	PL 257		4	37-B	3	1	D	AMD	PL 114		1
36	2863	7		RP	PL 211	E	7	37-B	101-A	3		NEW	PL 114		2
36	2892		last	NEW	PL 284	IIII	1	37-B	102	1	A	AMD	PL 108		2
36	2910-B			AMD	PL 211	B	7	37-B	152			AMD	PL 108		3
36	3208-A			AMD	PL 211	B	8	37-B	153			AMD	PL 108		4
36	4604	2		AMD	PL 288	A	48	37-B	158			AMD	PL 114		3
36	4641-B	4-B	E	AMD	PL 284	AAAAAAA	1	37-B	190			NEW	PL 108		5

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37-B	505	2	A	AMD	PL 108		6	38	1033	1	H	AMD	PL 151		1
37-B	508		last	NEW	PL 108		7	38	1033	1	I	NEW	PL 151		2
38	1-A	1		AMD	PL 54		1	38	1033	2	C	RP	PL 151		3
38	342	11-B		AMD	PL 137	A	4	38	1050	3		AMD	PL 151		4
38	342	15		AFF	PL 92		2	38	1055			AMD	PL 151		5
38	342	15		AMD	PL 92		1	38	1164			AMD	PL 151		6
38	347-C			RPR	PL 137	A	5	38	1310-C	3		COR	RR 2		28
38	361-A	1-J		AMD	PL 137	A	6	38	1319-I	4-B		COR	RR 2		29
38	361-A	1-K		AMD	PL 137	A	7	38	1455	4		COR	RR 2		30
38	411		4th	COR	RR 2		26	38	1609-A			NEW	PL 311		1
38	411		5th	AMD	PL 137	A	8	38	3102	2		AMD	PL 10		1
38	420	1-B	C	AMD	PL 137	A	9	38	3102	9		AMD	PL 137	A	14
38	420	2		AMD	PL 137	A	10	38	3103	4		AFF	PL 140		3
38	423	5		NEW	PL 49		1	38	3103	4		AMD	PL 140		1
38	465-A		1st	AMD	PL 137	B	1	39-A	153-A	3	C	AMD	PL 29		1
38	465-A	1		AMD	PL 137	B	2	39-A	201	3		RP	PL 294		1
38	467	3	B	AMD	PL 137	B	3	39-A	201	3-A		NEW	PL 294		2
38	467	5	B	AMD	PL 137	B	4	39-A	213	4		AMD	PL 288	A	50
38	467	5-A	A	AMD	PL 137	B	5	39-A	217	8		RP	PL 53		1
38	467	6-A	B	AMD	PL 137	B	6	39-A	217	9		NEW	PL 53		2
38	467	7	F	AMD	PL 137	B	7	39-A	408	1		AMD	PL 286		11
38	467	9	B	AMD	PL 137	B	8	39-A	408	2		AMD	PL 286		11
38	467	15	C	AMD	PL 137	B	9								
38	467	15	F	AMD	PL 137	B	10								
38	468	1		AMD	PL 137	B	11								
38	468	4		AMD	PL 137	B	12								
38	468	5	C	RP	PL 137	B	13								
38	468	6		AMD	PL 137	B	14								
38	468	7	G	NEW	PL 137	B	15								
38	469	1		AMD	PL 137	B	16								
38	469	2	A-1	AMD	PL 137	B	17								
38	469	2	D	AMD	PL 137	B	18								
38	469	3	B	AMD	PL 137	B	19								
38	469	3	C	AMD	PL 137	B	19								
38	469	5	B	AMD	PL 137	B	20								
38	480-CC	2	B	COR	RR 2		27								
38	490-Y		1st	AMD	PL 137	A	11								
38	490-MM	5-A		NEW	PL 142		2								
38	490-MM	10-A		NEW	PL 142		2								
38	490-MM	10-B		NEW	PL 142		2								
38	490-MM	10-C		NEW	PL 142		2								
38	490-MM	13-A		NEW	PL 142		2								
38	490-MM	17		RPR	PL 142		3								
38	490-MM	18		NEW	PL 142		4								
38	490-NN	1	B	AMD	PL 142		5								
38	490-NN	2		AMD	PL 142		6								
38	490-OO	4	D	AMD	PL 142		7								
38	490-OO	4	H	AMD	PL 142		7								
38	490-OO	4	K	NEW	PL 142		8								
38	490-OO	4	L	NEW	PL 142		8								
38	490-OO	4	M	NEW	PL 142		8								
38	490-OO	4	N	NEW	PL 142		8								
38	490-OO	4	O	NEW	PL 142		8								
38	490-RR	2		RPR	PL 142		9								
38	490-RR	3		RP	PL 142		10								
38	496-A		2nd	AMD	PL 137	A	12								
38	568-A	3		AMD	PL 137	A	13								
38	1033	1	G	AMD	PL 151		1								

TABLE II

Public Laws not allocated to the Maine Revised Statutes affected by the laws of the First Regular Session of the 128th Legislature and the Revisor's Report 2015, Chapter 2.

YEAR	CHAP	SEC	AFFECTED BY					YEAR	CHAP	SEC	AFFECTED BY					
			(TYPE)	YEAR	CHAP	SEC				(TYPE)	YEAR	CHAP	SEC			
1981	343	2	AMD	PL	2017	18		1	2015	267	A63	AMD	PL	2017	88	38
1987	735	73	A/C	AMD	PL	2017	288	B9	2015	267	DDD1	AMD	PL	2017	284	OOOO1
1997	763	5	AMD	PL	2017	2		N1	2015	389	A1/3	AMD	PL	2017	284	C57
1997	763	6	RP	PL	2017	2		N2	2015	389	A1/5	AMD	PL	2017	284	C58
2003	673	HH6	AMD	PL	2017	288		A51	2015	389	A1/6	AMD	PL	2017	284	C58
2007	240	X2	AMD	PL	2017	284	MMMM1		2015	500	2/3	COR	RR	2015	2	31
2013	595	H1	AMD	PL	2017	284	WWW1		2015	500	2/5	COR	RR	2015	2	31
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