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STATE OF MAINE
ONE HUNDRED AND TWENTY-NINTH LEGISLATURE
COMMITTEE ON LABOR AND HOUSING

TO: Senator Catherine E. Breen, Senate Chair
Representative Drew Gattine, House Chair
Joint Standing Committee on Appropriations and Financial Affairs

FROM: Senator Shenna Bellows, Senate Chair *Shenna Bellows*
Representative Michael A. Sylvester, House Chair *[Signature]*
Joint Standing Committee on Labor and Housing

DATE: April 3, 2019

Re: Committee Recommendations on the Governor's Proposed Biennial Budget Bill
(LD 1001)

We are writing to provide the recommendations of the Joint Standing Committee on Labor and Housing on those portions of the Governor's proposed Biennial Budget Bill (LD 1001) that are under the committee's jurisdiction. We have reviewed and discussed these initiatives and appreciate your consideration of our recommendations and comments.

A. Most proposed budget initiatives and language parts were unanimously supported by Labor and Housing Committee members:

The Committee voted unanimously to move **IN** the vast majority of the budget initiatives and Language Parts under the Committee's jurisdiction, with the following exceptions.

B. Proposed budget initiative unanimously opposed by Labor and Housing Committee members:

The Committee voted unanimously to move **OUT** the following item:

- **Maine State Housing Authority, Housing Authority - State 0442**
 - Initiative Ref. #: 1194

C. Proposed budget initiative supported by a majority of Labor and Housing Committee members:

The Committee voted, by an 8 to 5 vote, to move **IN** the following item:

- **Board of Trustees of the University of Maine System, New Ventures Maine Z169**
 - Initiative Ref. #: 2692

D. Proposed budget Language Part unanimously opposed by Labor and Housing Committee members:

The Committee voted unanimously to move **OUT** Part RR, Sec. RR-1.

E. Proposed budget Language Part with a split vote of the Labor and Housing Committee members:

The Committee voted, by a 7 to 6 vote, to **amend** Part OO. The amendment would be to consolidate the entirety of the Department of Public Safety, Division of Building Codes and Standards program within the Department of Public Safety. The minority supported Part OO as written.

Thank you for your consideration of our recommendations.

Sec. A-34. Appropriations and allocations. The following appropriations and allocations are made.

HOUSING AUTHORITY, MAINE STATE

Home Modification Certification Program Z231

Initiative: BASELINE BUDGET

GENERAL FUND	History 2017-18	History 2018-19	2019-20	2020-21
All Other	\$50,000	\$50,000	\$50,000	\$50,000
GENERAL FUND TOTAL	\$50,000	\$50,000	\$50,000	\$50,000

Justification:

The Home Modification Certification Program offers owners of MaineHousing financed multi-family properties the opportunity to restructure MaineHousing debt by modifying interest rates, extending loan terms, or both. Loan modifications generally lower debt service payments in return for extended project affordability.

**HOME MODIFICATION CERTIFICATION PROGRAM Z231
PROGRAM SUMMARY**

GENERAL FUND	History 2017-18	History 2018-19	2019-20	2020-21
All Other	\$50,000	\$50,000	\$50,000	\$50,000
GENERAL FUND TOTAL	\$50,000	\$50,000	\$50,000	\$50,000

Housing Authority - State 0442

Initiative: BASELINE BUDGET

	History 2017-18	History 2018-19	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS				
All Other	\$10,426,128	\$11,175,488	\$11,175,488	\$11,175,488
OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$10,426,128</u>	<u>\$11,175,488</u>	<u>\$11,175,488</u>	<u>\$11,175,488</u>

Justification:

The Housing Opportunities for Maine (HOME) Fund was created by the Legislature and the Governor in 1983 to provide a flexible source of funding to address the problems of affordable housing. The real estate transfer tax was doubled to provide a dedicated source of revenue to the Fund. Of the total tax collected, 10% stays with the county (as an agent fee) and the balance is split between the General Fund and the HOME Fund.

The HOME Fund provides the Maine State Housing Authority (MSHA) with one of its most important financial resources. None of the money is used for any kind of administrative costs. The flexibility of the HOME Fund is significant. It enables MSHA to leverage federal funds, to reduce interest rates for first time homebuyers and for affordable multi-family developments, and to improve housing opportunities for renters in need, persons who are homeless and persons with special needs.

The HOME Fund has brought homeownership to Maine citizens who otherwise would not have been able to afford it. It has also provided affordable rental housing to thousands of low-income families, the elderly, persons who are homeless, persons with disabilities and to homeowners to finance needed home modifications and repairs. Because these funds are relatively free of restrictions they are the critical piece in many projects where most of the pieces are in place but a key additional piece is needed to make the project possible.

Housing Authority - State 0442

Initiative: Provides funding to meet unique housing needs in the areas of homelessness, first-time homebuyers, rental unit production for people with special needs and low income and repairs to substandard homes.

Ref. #: 1193

Committee Vote:

IN

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS		2019-20	2020-21
All Other		\$7,601,146	\$7,788,414
OTHER SPECIAL REVENUE FUNDS TOTAL		<u>\$7,601,146</u>	<u>\$7,788,414</u>

13-0

Justification:

This initiative provides an increase in funding based on distribution formulas in Maine Revised Statutes, Title 36, and estimated real estate transfer taxes collected.

Housing Authority - State 0442

Initiative: Reduces funding to recognize the impact of additional transfers of the real estate transfer tax to the General Fund.

Ref. #: 1194

One Time

Committee Vote:

OUT

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

All Other

2019-20 2020-21
(\$2,500,000) (\$2,500,000)

OTHER SPECIAL REVENUE FUNDS TOTAL

(\$2,500,000) (\$2,500,000)

Justification:

This initiative is pursuant to the proposed amendment to Maine Revised Statutes, Title 36, section 4641-B, subsection 4-B, paragraph E that states in fiscal years 2019-20 and 2020-21, the Treasurer of State shall first credit \$2,500,000 of the revenues collected from the real estate transfer tax to the General Fund. Dedicated Revenue adjustment in C-RR-7101.

HOUSING AUTHORITY - STATE 0442

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS

All Other

	History 2017-18	History 2018-19	2019-20	2020-21
	\$10,426,128	\$11,175,488	\$16,276,634	\$16,463,902
OTHER SPECIAL REVENUE FUNDS TOTAL	\$10,426,128	\$11,175,488	\$16,276,634	\$16,463,902

Low-income Home Energy Assistance - MSHA 0708

Initiative: BASELINE BUDGET

	History 2017-18	History 2018-19	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS				
All Other	\$545	\$545	\$545	\$545
OTHER SPECIAL REVENUE FUNDS TOTAL	\$545	\$545	\$545	\$545

Justification:

Maine State Housing Authority (MSHA) assists the Public Utilities Commission to implement the Electric Assistance Program Fund. The Public Utilities Commission program subsidizes the electric bills of low-income households that qualify for the program. MSHA coordinates the flow of funds among the various utility companies by serving as a central processor. This program serves approximately 26,000 households per year.

**LOW-INCOME HOME ENERGY ASSISTANCE - MSHA 0708
PROGRAM SUMMARY**

	History 2017-18	History 2018-19	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS				
All Other	\$545	\$545	\$545	\$545
OTHER SPECIAL REVENUE FUNDS TOTAL	\$545	\$545	\$545	\$545

Maine Energy, Housing and Economic Recovery Program Z124

Initiative: BASELINE BUDGET

	History 2017-18	History 2018-19	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS				
All Other	\$4,317,712	\$4,316,237	\$4,316,237	\$4,316,237
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,317,712	\$4,316,237	\$4,316,237	\$4,316,237

Justification:

The Maine Energy, Housing and Economic Recovery Program is established to provide for multiple goals including establishing stable, long term capital funding sources, increasing the supply of affordable housing, improving energy efficiency of residential housing, replacing manufactured homes that do not meet the standard of the Department of Housing and Urban Development and reducing the State's greenhouse gas emissions.

Maine Energy, Housing and Economic Recovery Program Z124

Initiative: Reduces funding to bring debt service payments in accordance with the repayment schedule.

Ref. #: 1201

Committee Vote: IN

AFA Vote: _____

		2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS			
All Other	13-0	(\$237)	(\$537)
OTHER SPECIAL REVENUE FUNDS TOTAL		(\$237)	(\$537)

Justification:

This initiative will meet the legal contractual obligation to bond holders and avoid default.

**MAINE ENERGY, HOUSING AND ECONOMIC RECOVERY PROGRAM Z124
PROGRAM SUMMARY**

	History 2017-18	History 2018-19	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS				
All Other	\$4,317,712	\$4,316,237	\$4,316,000	\$4,315,700
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,317,712	\$4,316,237	\$4,316,000	\$4,315,700

Shelter Operating Subsidy 0661

Initiative: BASELINE BUDGET

GENERAL FUND	History 2017-18	History 2018-19	2019-20	2020-21
All Other	\$2,500,000	\$2,500,000	\$2,500,000	\$2,500,000
GENERAL FUND TOTAL	\$2,500,000	\$2,500,000	\$2,500,000	\$2,500,000

Justification:

The Shelter Operating Subsidy (SOS) Program provides funding for emergency shelters that serve people who are homeless. These emergency shelters are society's ultimate safety net. Funds from this program are used statewide. Program funds help emergency shelters pay operating costs and improve conditions of emergency shelters to comply with code and regulatory requirements. These funds only cover a portion of a shelter's operating costs.

The objective of the SOS Program is to keep emergency shelters operating to provide a safe haven for those who are homeless. Program funds Maine's emergency shelters that provide bed nights for Maine citizens. Maine State Housing Authority allocates the funds directly to the providers.

**SHELTER OPERATING SUBSIDY 0661
PROGRAM SUMMARY**

GENERAL FUND	History 2017-18	History 2018-19	2019-20	2020-21
All Other	\$2,500,000	\$2,500,000	\$2,500,000	\$2,500,000
GENERAL FUND TOTAL	\$2,500,000	\$2,500,000	\$2,500,000	\$2,500,000

HOUSING AUTHORITY, MAINE STATE

	2019-20	2020-21
DEPARTMENT TOTALS		
GENERAL FUND	\$2,550,000	\$2,550,000
OTHER SPECIAL REVENUE FUNDS	\$20,593,179	\$20,780,147
DEPARTMENT TOTAL - ALL FUNDS	<u>\$23,143,179</u>	<u>\$23,330,147</u>

Sec. A-41. Appropriations and allocations. The following appropriations and allocations are made.

LABOR, DEPARTMENT OF

Administration - Bureau of Labor Standards 0158

Initiative: BASELINE BUDGET

	History 2017-18	History 2018-19	2019-20	2020-21
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	2.000	2.000	2.000	2.000
Personal Services	\$76,203	\$79,160	\$78,315	\$80,348
All Other	\$31,350	\$31,350	\$31,350	\$31,350
GENERAL FUND TOTAL	\$107,553	\$110,510	\$109,665	\$111,698
	History 2017-18	History 2018-19	2019-20	2020-21
FEDERAL EXPENDITURES FUND				
Personal Services	\$76,373	\$78,442	\$80,829	\$82,717
All Other	\$36,896	\$35,876	\$35,876	\$35,876
FEDERAL EXPENDITURES FUND TOTAL	\$113,269	\$114,318	\$116,705	\$118,593
	History 2017-18	History 2018-19	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS				
All Other	\$200,000	\$200,000	\$200,000	\$200,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,000	\$200,000	\$200,000	\$200,000

Justification:

This account provides funding for the Technical Services Division (TSD), the Maine Wage Assurance Fund, and the administration of the Bureau of Labor Standards. The administration unit has overall responsibility for the bureau, including policy development and financial control.

The TSD collects and disseminates data on occupational safety and health, workers' compensation, construction wage rates and labor relations; researches and issues wage determinations used on state construction projects under the Prevailing Wage Rate Law; and has three federal grants from the U.S. Department of Labor, two from the Bureau of Labor Statistics and one from the Occupational Safety and Health Administration, that support its occupational safety and health data collection activities. The division also provides technical services and computer support to other units in the bureau.

The Maine Wage Assurance Fund pays up to two weeks of unpaid wages to employees of businesses that have terminated operations where there are no assets available to pay the former employees, including bankruptcies. The funding for the Wage Assurance program comes from transfers from the Special Administrative Expense Fund within the Unemployment Insurance program.

Administration - Bureau of Labor Standards 0158

Initiative: Provides funding in All Other line to align expenditures with anticipated increases in federal revenue.

Ref. #: 2060

Committee Vote: IN

AFA Vote: _____

FEDERAL EXPENDITURES FUND

All Other

12-0

2019-20 2020-21

\$19,905 \$19,905

FEDERAL EXPENDITURES FUND TOTAL

\$19,905 \$19,905

Justification:

This initiative increases All Other expenditures to provide allotment to fully expend federal grant revenue.

Administration - Bureau of Labor Standards 0158

Initiative: Reallocates the cost of one Director, Bureau of Labor Standards position and one Public Service Manager II position from 34.5% Administration - Bureau of Labor Standards program, General Fund, 60% Safety Education and Training Programs program, Other Special Revenue Funds and 5.5% Administration - Bureau of Labor Standards program, Federal Expenditures Fund to 34.5% Administration - Bureau of Labor Standards program, General Fund and 65.5% Safety Education and Training Programs program, Other Special Revenue Funds and adjust All Other costs.

Ref. #: 2061

Committee Vote: IN

AFA Vote: _____

FEDERAL EXPENDITURES FUND

Personal Services

All Other

12-0

2019-20 2020-21

(\$12,487) (\$12,807)

\$12,487 \$12,807

FEDERAL EXPENDITURES FUND TOTAL

\$0 \$0

Justification:

This aligns the Personal Services to the appropriate funding sources.

Administration - Bureau of Labor Standards 0158

Initiative: Transfers and reallocates the cost of one Statistical Program Supervisor position from 100% Safety Education and Training Programs program, Other Special Revenue Funds to 55% Administration - Bureau of Labor Standards program, Federal Expenditures Fund and 45% Safety Education and Training Programs program, Other Special Revenue Funds.

Ref. #: 2062

Committee Vote: IN

AFA Vote: _____

FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT

Personal Services

12-0

2019-20 2020-21

1.000 1.000

\$42,783 \$44,818

FEDERAL EXPENDITURES FUND TOTAL

\$42,783 \$44,818

Justification:

This aligns the Personal Services to the appropriate funding sources.

**ADMINISTRATION - BUREAU OF LABOR STANDARDS 0158
PROGRAM SUMMARY**

GENERAL FUND	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	2.000	2.000	2.000	2.000
Personal Services	\$76,203	\$79,160	\$78,315	\$80,348
All Other	\$31,350	\$31,350	\$31,350	\$31,350
GENERAL FUND TOTAL	\$107,553	\$110,510	\$109,665	\$111,698
FEDERAL EXPENDITURES FUND	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	0.000	0.000	1.000	1.000
Personal Services	\$76,373	\$78,442	\$111,125	\$114,728
All Other	\$36,896	\$35,876	\$68,268	\$68,588
FEDERAL EXPENDITURES FUND TOTAL	\$113,269	\$114,318	\$179,393	\$183,316
OTHER SPECIAL REVENUE FUNDS	History 2017-18	History 2018-19	2019-20	2020-21
All Other	\$200,000	\$200,000	\$200,000	\$200,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$200,000	\$200,000	\$200,000	\$200,000

Administration - Labor 0030

Initiative: BASELINE BUDGET

	History 2017-18	History 2018-19	2019-20	2020-21
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	1.000	1.000	1.000	1.000
Personal Services	\$194,557	\$197,442	\$214,300	\$215,745
All Other	\$275,042	\$282,907	\$282,907	\$282,907
GENERAL FUND TOTAL	\$469,599	\$480,349	\$497,207	\$498,652
	History 2017-18	History 2018-19	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	11.000	10.000	10.000	10.000
Personal Services	\$1,104,468	\$1,076,341	\$1,077,754	\$1,091,597
All Other	\$2,891,665	\$2,891,665	\$2,891,665	\$2,891,665
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,996,133	\$3,968,006	\$3,969,419	\$3,983,262

Justification:

The Administration - Labor program contains the Office of the Commissioner. The Commissioner and staff provide review, oversight and coordination of all Department of Labor functions, and, serve as primary liaison with federal and state agencies, the Legislature, the press and the public.

Administration - Labor 0030

Initiative: Establishes one Office Associate II position to provide reception services for the Department of Labor.

Ref. #: 2046

Committee Vote:

IN

AFA Vote:

GENERAL FUND

Personal Services

2019-20

2020-21

\$4,991

\$5,238

GENERAL FUND TOTAL

\$4,991

\$5,238

Ref. #: 2047

Committee Vote:

IN

AFA Vote:

OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT

Personal Services

2019-20

2020-21

1.000

1.000

\$59,838

\$62,804

OTHER SPECIAL REVENUE FUNDS TOTAL

\$59,838

\$62,804

Justification:

The current staffing levels are not sufficient to provide daily coverage for telephone calls and front desk services.

**ADMINISTRATION - LABOR 0030
PROGRAM SUMMARY**

GENERAL FUND	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	1.000	1.000	1.000	1.000
Personal Services	\$194,557	\$197,442	\$219,291	\$220,983
All Other	\$275,042	\$282,907	\$282,907	\$282,907
GENERAL FUND TOTAL	\$469,599	\$480,349	\$502,198	\$503,890

OTHER SPECIAL REVENUE FUNDS	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	11.000	10.000	11.000	11.000
Personal Services	\$1,104,468	\$1,076,341	\$1,137,592	\$1,154,401
All Other	\$2,891,665	\$2,891,665	\$2,891,665	\$2,891,665
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,996,133	\$3,968,006	\$4,029,257	\$4,046,066

Blind and Visually Impaired - Division for the 0126

Initiative: BASELINE BUDGET

	History 2017-18	History 2018-19	2019-20	2020-21
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	12.000	12.000	12.000	12.000
Personal Services	\$731,260	\$745,698	\$767,831	\$774,956
All Other	\$2,817,314	\$2,818,103	\$2,818,103	\$2,818,103
GENERAL FUND TOTAL	\$3,548,574	\$3,563,801	\$3,585,934	\$3,593,059
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	22.500	21.500	21.500	21.500
Personal Services	\$1,936,163	\$1,920,396	\$2,044,235	\$2,072,548
All Other	\$2,102,214	\$2,101,425	\$2,101,425	\$2,101,425
FEDERAL EXPENDITURES FUND TOTAL	\$4,038,377	\$4,021,821	\$4,145,660	\$4,173,973
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	2.000	2.000	2.000	2.000
Personal Services	\$104,022	\$105,035	\$108,601	\$109,252
All Other	\$108,044	\$108,044	\$108,044	\$108,044
OTHER SPECIAL REVENUE FUNDS TOTAL	\$212,066	\$213,079	\$216,645	\$217,296

Justification:

This Division manages direct-services that help people who are blind or visually impaired to obtain or maintain employment. The division also oversees a program that provides funds for teachers of children who are blind or visually impaired and for assisting older individuals to learn skills they need to remain independent in their homes and communities, often avoiding costly institutional care. The Vocational Rehabilitation portion of this program receives federal matching of \$4.00 for every \$1.00 of General Fund money.

Blind and Visually Impaired - Division for the 0126

Initiative: Reallocates the cost of 5 Rehabilitation Counselor I positions from 100% Federal Expenditures Fund to 60% General Fund and 40% Federal Expenditures Fund within the same program and transfers All Other to Personal Services to fund the reallocation.

Ref. #: 2052

Committee Vote: IN AFA Vote: _____

	2019-20	2020-21
GENERAL FUND		
Personal Services	\$220,260	\$223,803
All Other	(\$220,260)	(\$223,803)
GENERAL FUND TOTAL	\$0	\$0

Ref. #: 2053

Committee Vote: IN AFA Vote: _____

FEDERAL EXPENDITURES FUND

	2019-20	2020-21
Personal Services	(\$220,260)	(\$223,803)
All Other	\$220,260	\$223,803
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

Justification:

This initiative moves the \$225,000 provided in Public Law 2017, chapter 284, Part A from All Other to Personal Services as Rehabilitation Counselors on staff are providing the independent living services to blind individuals enabling them to continue to function independently in their homes and communities and will help to avoid higher levels of support in facilities or institutions, such as nursing homes.

Blind and Visually Impaired - Division for the 0126

Initiative: Provides funding for contracted summer instructional services.

Ref. #: 2054

Committee Vote:

IN

AFA Vote: _____

12-0

OTHER SPECIAL REVENUE FUNDS

	2019-20	2020-21
All Other	\$14,000	\$14,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$14,000	\$14,000

Justification:

The Department of Education is providing the funding for summer services. The Division for the Blind and Visually Impaired expects that the contracted instructor will provide summer services to children who are blind.

Blind and Visually Impaired - Division for the 0126

Initiative: Provides additional funding to contract for one Teacher for the Visually Impaired position.

Ref. #: 2055

Committee Vote:

IN

AFA Vote: _____

12-0

OTHER SPECIAL REVENUE FUNDS

	2019-20	2020-21
All Other	\$90,000	\$90,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$90,000	\$90,000

Justification:

The Department of Education is providing the funding for this position. The Division for the Blind and Visually Impaired expects that the contracted Teacher for the Visually Impaired will continue to provide instruction and consultation specific to blindness or vision impairment that is essential for blind children and youth to access publicly available child development services and education curriculum. This contracted position was also funded in fiscal year 2016-17 with funding from the Department of Education. The Department of Education is funding this contracted position established in accordance with Public Law 2011, chapter 655, Part FFF.

**BLIND AND VISUALLY IMPAIRED - DIVISION FOR THE 0126
PROGRAM SUMMARY**

	History 2017-18	History 2018-19	2019-20	2020-21
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	12.000	12.000	12.000	12.000
Personal Services	\$731,260	\$745,698	\$988,091	\$998,759
All Other	\$2,817,314	\$2,818,103	\$2,597,843	\$2,594,300
GENERAL FUND TOTAL	\$3,548,574	\$3,563,801	\$3,585,934	\$3,593,059
	History 2017-18	History 2018-19	2019-20	2020-21
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	22.500	21.500	21.500	21.500
Personal Services	\$1,936,163	\$1,920,396	\$1,823,975	\$1,848,745
All Other	\$2,102,214	\$2,101,425	\$2,321,685	\$2,325,228
FEDERAL EXPENDITURES FUND TOTAL	\$4,038,377	\$4,021,821	\$4,145,660	\$4,173,973
	History 2017-18	History 2018-19	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	2.000	2.000	2.000	2.000
Personal Services	\$104,022	\$105,035	\$108,601	\$109,252
All Other	\$108,044	\$108,044	\$212,044	\$212,044
OTHER SPECIAL REVENUE FUNDS TOTAL	\$212,066	\$213,079	\$320,645	\$321,296

Employment Security Services 0245

Initiative: BASELINE BUDGET

	History 2017-18	History 2018-19	2019-20	2020-21
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	125.000	116.000	115.000	115.000
Personal Services	\$11,048,863	\$10,842,730	\$11,085,090	\$11,381,664
All Other	\$15,331,840	\$15,772,040	\$15,700,840	\$15,700,840
FEDERAL EXPENDITURES FUND TOTAL	\$26,380,703	\$26,614,770	\$26,785,930	\$27,082,504
	History 2017-18	History 2018-19	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	53.500	52.500	50.000	50.000
Personal Services	\$1,977,238	\$1,996,074	\$1,984,545	\$2,040,267
All Other	\$1,373,146	\$1,373,146	\$1,373,146	\$1,373,146
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,350,384	\$3,369,220	\$3,357,691	\$3,413,413
	History 2017-18	History 2018-19	2019-20	2020-21
EMPLOYMENT SECURITY TRUST FUND				
All Other	\$174,350,000	\$174,350,000	\$174,350,000	\$174,350,000
EMPLOYMENT SECURITY TRUST FUND TOTAL	\$174,350,000	\$174,350,000	\$174,350,000	\$174,350,000

Justification:

The Employment Security Services program supports services within the Department's Bureau of Unemployment Compensation and the Unemployment Insurance Commission. This program provides services to help prevent or reduce the adverse local economic impact of unemployment and underemployment through a Federal-State partnership in which the majority of administrative expenses are borne by the Federal government. Services funded through this account include the administration and distribution of unemployment compensation.

**EMPLOYMENT SECURITY SERVICES 0245
PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	125.000	116.000	115.000	115.000
Personal Services	\$11,048,863	\$10,842,730	\$11,085,090	\$11,381,664
All Other	\$15,331,840	\$15,772,040	\$15,700,840	\$15,700,840
FEDERAL EXPENDITURES FUND TOTAL	\$26,380,703	\$26,614,770	\$26,785,930	\$27,082,504
OTHER SPECIAL REVENUE FUNDS	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	53.500	52.500	50.000	50.000
Personal Services	\$1,977,238	\$1,996,074	\$1,984,545	\$2,040,267
All Other	\$1,373,146	\$1,373,146	\$1,373,146	\$1,373,146
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,350,384	\$3,369,220	\$3,357,691	\$3,413,413
EMPLOYMENT SECURITY TRUST FUND	History 2017-18	History 2018-19	2019-20	2020-21
All Other	\$174,350,000	\$174,350,000	\$174,350,000	\$174,350,000
EMPLOYMENT SECURITY TRUST FUND TOTAL	\$174,350,000	\$174,350,000	\$174,350,000	\$174,350,000

Employment Services Activity 0852

Initiative: BASELINE BUDGET

	History 2017-18	History 2018-19	2019-20	2020-21
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	3.000	3.000	3.000	3.000
Personal Services	\$611,782	\$625,898	\$653,832	\$666,654
All Other	\$325,251	\$325,368	\$325,368	\$325,368
GENERAL FUND TOTAL	\$937,033	\$951,266	\$979,200	\$992,022
	History 2017-18	History 2018-19	2019-20	2020-21
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	99.000	99.000	99.000	99.000
Personal Services	\$6,454,236	\$6,652,771	\$6,832,354	\$7,046,120
All Other	\$17,212,606	\$17,219,040	\$17,219,040	\$17,219,040
FEDERAL EXPENDITURES FUND TOTAL	\$23,666,842	\$23,871,811	\$24,051,394	\$24,265,160
	History 2017-18	History 2018-19	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	15.000	15.000	15.000	15.000
Personal Services	\$1,359,146	\$1,391,442	\$1,438,123	\$1,466,914
All Other	\$1,796,322	\$1,793,591	\$1,793,591	\$1,793,591
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,155,468	\$3,185,033	\$3,231,714	\$3,260,505
	History 2017-18	History 2018-19	2019-20	2020-21
COMPETITIVE SKILLS SCHOLARSHIP FUND				
POSITIONS - LEGISLATIVE COUNT	4.000	4.000	4.000	4.000
Personal Services	\$604,406	\$611,053	\$644,799	\$661,151
All Other	\$3,290,254	\$3,286,161	\$2,586,161	\$2,586,161
COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$3,894,660	\$3,897,214	\$3,230,960	\$3,247,312

Justification:

The Employment Services consists of state and federally -funded programs that assist Maine residents and employers through a wide range of workforce development initiatives. The Bureau of Employment Services (BES) is responsible for the statewide administration and management for these programs in the State of Maine. Maine Department of Labor (MDOL) Employment Services is a major partner in the local CareerCenters. CareerCenters, a partnership between the MDOL, Local Workforce Boards and private non-profit service providers, are the cornerstone of the public employment system and represent a consolidation of a multitude of programs and services under one umbrella. CareerCenters provide Rapid Response Services statewide for businesses and laid-off workers; a comprehensive array of labor market information, career exploration, job search and career support services and training opportunities to job seeking customers; and workforce consultation including recruitment and retention services, job posting/matching, labor market information, access to new hire and incumbent worker training and human resource resources to Maine's businesses. The majority of Employment Services' resources come from the federally-funded Wagner-Peyser Act, Workforce Innovation and Opportunity Act and Trade Assistance Act. These programs are designed to help Maine residents increase their job opportunities and income through increased skills and access to employment opportunities. It includes job placement and

special services for veterans through the Disabled Veterans' Outreach Program (DVOP) and the Local Veterans' Employment Representative (LVER) program. It also focuses on providing local employers with a wide range of employment resources. BES acts as the Governor's administrative agency and works in partnership with the State Workforce Board and the three Local Workforce Boards. Employment Services also administers the Competitive Skills Scholarship Program, a State program promoting college degrees in marketable areas of study, employer/industry-driven training for individuals, and college credits for Maine high school students participating in the BRIDGE program. In addition, it administers the Maine Apprenticeship Program, a state-funded program that supports employers, local unions and workers in increasing skills and education levels of Maine workers by establishing and maintaining worker apprenticeship programs.

Employment Services Activity 0852

Initiative: Transfers and reallocates the cost of various positions between 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. Position detail is on file with the Bureau of the Budget.

Ref. #: 2111	Committee Vote: <u>IN</u>	AFA Vote: _____		
			12-0	
GENERAL FUND			2019-20	2020-21
Personal Services			(\$435)	(\$398)
GENERAL FUND TOTAL			<u>(\$435)</u>	<u>(\$398)</u>
Ref. #: 2112	Committee Vote: <u>IN</u>	AFA Vote: _____		
			12-0	
FEDERAL EXPENDITURES FUND			2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT			6,000	6,000
Personal Services			\$14,937	\$13,121
FEDERAL EXPENDITURES FUND TOTAL			<u>\$14,937</u>	<u>\$13,121</u>
Ref. #: 2116	Committee Vote: <u>IN</u>	AFA Vote: _____		
			12-0	
OTHER SPECIAL REVENUE FUNDS			2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT			(9,000)	(9,000)
Personal Services			(\$566,733)	(\$579,524)
OTHER SPECIAL REVENUE FUNDS TOTAL			<u>(\$566,733)</u>	<u>(\$579,524)</u>
Ref. #: 2117	Committee Vote: <u>IN</u>	AFA Vote: _____		
			12-0	
COMPETITIVE SKILLS SCHOLARSHIP FUND			2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT			3,000	3,000
Personal Services			\$552,231	\$566,801
COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL			<u>\$552,231</u>	<u>\$566,801</u>

Justification:

This initiative further refines the allocation of positions, begun in the 2012-2013 biennium, to better align positions with the programs being worked on by staff.

Employment Services Activity 0852

Initiative: Reduces allocation to align with available resources.

Ref. #: 2118

Committee Vote:

IN

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

All Other

2019-20

2020-21

(\$1,050,000)

(\$1,075,000)

OTHER SPECIAL REVENUE FUNDS TOTAL

(\$1,050,000)

(\$1,075,000)

Justification:

The Bureau for Employment Services no longer delivers the Title 1B services within the Workforce Innovation and Opportunity Act, therefore the allocation can be reduced.

Employment Services Activity 0852

Initiative: Reduces allocation in the Employment Services Activity program to align with available resources.

Ref. #: 2119

Committee Vote:

IN

AFA Vote: _____

FEDERAL EXPENDITURES FUND

All Other

2019-20

2020-21

(\$1,300,000)

(\$1,300,000)

FEDERAL EXPENDITURES FUND TOTAL

(\$1,300,000)

(\$1,300,000)

Justification:

The federal awards for the National Dislocated Worker Grant Program have decreased, therefore the allocation can be reduced.

**EMPLOYMENT SERVICES ACTIVITY 0852
PROGRAM SUMMARY**

GENERAL FUND	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	3.000	3.000	3.000	3.000
Personal Services	\$611,782	\$625,898	\$653,397	\$666,256
All Other	\$325,251	\$325,368	\$325,368	\$325,368
GENERAL FUND TOTAL	\$937,033	\$951,266	\$978,765	\$991,624
FEDERAL EXPENDITURES FUND	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	99.000	99.000	105.000	105.000
Personal Services	\$6,454,236	\$6,652,771	\$6,847,291	\$7,059,241
All Other	\$17,212,606	\$17,219,040	\$15,919,040	\$15,919,040
FEDERAL EXPENDITURES FUND TOTAL	\$23,666,842	\$23,871,811	\$22,766,331	\$22,978,281
OTHER SPECIAL REVENUE FUNDS	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	15.000	15.000	6.000	6.000
Personal Services	\$1,359,146	\$1,391,442	\$871,390	\$887,390
All Other	\$1,796,322	\$1,793,591	\$743,591	\$718,591
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,155,468	\$3,185,033	\$1,614,981	\$1,605,981
COMPETITIVE SKILLS SCHOLARSHIP FUND	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	4.000	4.000	7.000	7.000
Personal Services	\$604,406	\$611,053	\$1,197,030	\$1,227,952
All Other	\$3,290,254	\$3,286,161	\$2,586,161	\$2,586,161
COMPETITIVE SKILLS SCHOLARSHIP FUND TOTAL	\$3,894,660	\$3,897,214	\$3,783,191	\$3,814,113

Labor Relations Board 0160

Initiative: BASELINE BUDGET

	History 2017-18	History 2018-19	2019-20	2020-21
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	4,000	4,000	4,000	4,000
Personal Services	\$406,746	\$409,810	\$414,024	\$420,250
All Other	\$24,617	\$24,617	\$24,617	\$24,617
GENERAL FUND TOTAL	\$431,363	\$434,427	\$438,641	\$444,867
	History 2017-18	History 2018-19	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS				
Personal Services	\$95,000	\$95,000	\$95,000	\$95,000
All Other	\$45,477	\$45,477	\$45,477	\$45,477
OTHER SPECIAL REVENUE FUNDS TOTAL	\$140,477	\$140,477	\$140,477	\$140,477

Justification:

The Maine Labor Relations Board (MLRB) promotes improved labor-management relations in the public-sector workplace. The MLRB enforces 4 separate statutes, which provide public employees the right to join labor organizations of their own choosing and to be represented by such organizations in collective bargaining for terms and conditions of employment. The MLRB serves a client base of about 55,000 municipal, school administrative unit, higher education, Legislative, Judicial and Executive Branch State employees. The MLRB also serves approximately 400 public employers throughout the state. Of Maine's 491 cities and towns, approximately 106 have eligible public employees. Most of the 254 school administrative units have eligible employees. The MLRB's clients also include the 16 counties, the Maine Community College System, Maine Maritime Academy, the University of Maine System, the Administrative Office of the Courts, the Legislative Council and the Executive Branch of State Government. The MLRB protects the rights and enforces the responsibilities created by the labor relations statutes by constituting appropriate bargaining units, conducting secret ballot elections and processing prohibited practice complaints. The MLRB, the Panel of Mediators and the State Board of Arbitration and Conciliation provide impasse resolution procedures to assist parties in negotiating initial or successor collective bargaining agreements (i.e., mediation, fact-finding and interest arbitration) and contract grievance arbitration services.

**LABOR RELATIONS BOARD 0160
PROGRAM SUMMARY**

GENERAL FUND	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	4.000	4.000	4.000	4.000
Personal Services	\$406,746	\$409,810	\$414,024	\$420,250
All Other	\$24,617	\$24,617	\$24,617	\$24,617
GENERAL FUND TOTAL	\$431,363	\$434,427	\$438,641	\$444,867

OTHER SPECIAL REVENUE FUNDS	History 2017-18	History 2018-19	2019-20	2020-21
Personal Services	\$95,000	\$95,000	\$95,000	\$95,000
All Other	\$45,477	\$45,477	\$45,477	\$45,477
OTHER SPECIAL REVENUE FUNDS TOTAL	\$140,477	\$140,477	\$140,477	\$140,477

Regulation and Enforcement 0159

Initiative: BASELINE BUDGET

GENERAL FUND	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	8.000	8.000	8.000	8.000
Personal Services	\$642,096	\$658,333	\$693,432	\$710,078
All Other	\$170,296	\$170,296	\$170,296	\$170,296
GENERAL FUND TOTAL	\$812,392	\$828,629	\$863,728	\$880,374

FEDERAL EXPENDITURES FUND	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	10.000	10.000	10.000	10.000
Personal Services	\$1,018,556	\$1,034,747	\$1,075,222	\$1,089,139
All Other	\$82,858	\$76,731	\$76,731	\$76,731
FEDERAL EXPENDITURES FUND TOTAL	\$1,101,414	\$1,111,478	\$1,151,953	\$1,165,870

Justification:

The units funded by this program are the Workplace Safety and Health Division (WSH) and the Wage and Hour Division (WHD).

The WSH Division enforces the laws and rules established for the protection of workers' health and safety in the public sector. The rules mirror those set by the U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) and are promulgated by the Occupational Safety and Health Board, comprised of Governor-appointed representatives of management, labor and the public, which is funded through this account. In addition, the division receives two grants from the U.S. Department of Labor to assist private sector employers in meeting federal occupational safety and health standards. The OSHA grant provides training and on-site consultation services focusing on small employers in high hazard industries, while the Mine Safety and Health Administration (MSHA) grant targets similar services to mining operations. In Maine, these are mostly sand and gravel pits.

WHD enforces employment laws such as minimum wage, overtime pay and child labor in the private and public sectors. Other more specialized areas of enforcement covered by WHD are Severance Pay (often called the Plant Closing Law), the Substance Abuse Testing Act and the Prevailing Wage Rate Law. WHD also administers payments from the Wage Assurance Fund.

Regulation and Enforcement 0159

Initiative: Provides funding in All Other line to align expenditures with anticipated increases in federal revenue.

Ref. #: 2066

Committee Vote:

IN

AFA Vote:

12-0

FEDERAL EXPENDITURES FUND	2019-20	2020-21
All Other	\$36,190	\$36,190

FEDERAL EXPENDITURES FUND TOTAL

\$36,190 \$36,190

Justification:

This initiative increases All Other expenditures to provide allotment to fully expend federal grant revenue.

Regulation and Enforcement 0159

Initiative: Reallocates the cost of one Director Wage and Hour Division position from 100% Regulation and Enforcement program, General Fund to 92% Regulation and Enforcement program, General Fund and 8% Safety Education and Training Programs program, Other Special Revenue Funds.

Ref. #: 2067

Committee Vote:

IN

AFA Vote: _____

GENERAL FUND

Personal Services

2019-20 2020-21
(\$9,020) (\$9,094)

GENERAL FUND TOTAL

(\$9,020) (\$9,094)

Justification:

Reallocates the cost of the director position to be in line with the staff allocation in use. The director routinely performs work meeting Safety Education and Training qualifications.

Regulation and Enforcement 0159

Initiative: Provides funding for the pending reorganization of one Occupational Safety Engineer position to an Occupational Health and Safety Program Supervisor position, 2 Occupational Safety Engineer positions to Occupational Health Specialist positions and one Planning and Research Associate II position to a Substance Abuse Program Specialist position.

Ref. #: 2068

Committee Vote:

IN

AFA Vote: _____

GENERAL FUND

Personal Services

2019-20 2020-21
\$5,337 \$9,112

GENERAL FUND TOTAL

\$5,337 \$9,112

Ref. #: 2069

Committee Vote:

IN

AFA Vote: _____

FEDERAL EXPENDITURES FUND

Personal Services

2019-20 2020-21
\$8,621 \$12,473

FEDERAL EXPENDITURES FUND TOTAL

\$8,621 \$12,473

Justification:

Provides funding for the pending management-initiated reorganization that has been submitted to the Bureau of Human Resources.

Regulation and Enforcement 0159

Initiative: Provides funding for the proposed reorganization of one Director Wage and Hour Division position to a Director Industrial Safety position.

Ref. #: 2070

Committee Vote:

IN
12-0

AFA Vote: _____

GENERAL FUND	2019-20	2020-21
Personal Services	\$6,101	\$9,624
GENERAL FUND TOTAL	\$6,101	\$9,624

Justification:

The current Director job specifications are out of date and do not reflect the needs of the Bureau. The current job specifications reference regulatory requirements that are repealed and do not address additional regulatory requirements now in effect. Additionally, the Director's responsibilities have grown due to changes in staffing, the new penalty assessment program, information technology advancements, education and outreach requests, and legislative requests (both internal and external). The increased responsibilities and regulatory oversight has helped advance the minor work permit program from 2,967 work permit applications in 2014 to 4261 in 2017. Education and Outreach requests have more than quadrupled, requiring the Director to participate in additional venues as the subject matter expert. While there is a decrease in enforcement with some regulatory requirements; overall, there is an increase in violations found leading to the need for increased technical assistance by the Director and additional enforcement of penalties for prior violators. The Division's new penalty structure will promote efficiency but will require additional work requirements for the Director as both assessments and appeals are handled first at the Director's level.

REGULATION AND ENFORCEMENT 0159

PROGRAM SUMMARY

GENERAL FUND	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	8.000	8.000	8.000	8.000
Personal Services	\$642,096	\$658,333	\$695,850	\$719,720
All Other	\$170,296	\$170,296	\$170,296	\$170,296
GENERAL FUND TOTAL	\$812,392	\$828,629	\$866,146	\$890,016

FEDERAL EXPENDITURES FUND	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	10.000	10.000	10.000	10.000
Personal Services	\$1,018,556	\$1,034,747	\$1,083,843	\$1,101,612
All Other	\$82,858	\$76,731	\$112,921	\$112,921
FEDERAL EXPENDITURES FUND TOTAL	\$1,101,414	\$1,111,478	\$1,196,764	\$1,214,533

Rehabilitation Services 0799

Initiative: BASELINE BUDGET

GENERAL FUND	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	19.000	19.000	19.000	19.000
Personal Services	\$1,337,145	\$1,372,807	\$1,414,307	\$1,448,873
All Other	\$2,852,092	\$3,242,485	\$3,242,485	\$3,242,485
GENERAL FUND TOTAL	\$4,189,237	\$4,615,292	\$4,656,792	\$4,691,358

FEDERAL EXPENDITURES FUND	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	100.000	97.000	97.000	97.000
Personal Services	\$7,708,742	\$7,728,019	\$7,626,713	\$7,799,228
All Other	\$10,976,898	\$11,252,793	\$9,779,442	\$9,779,442
FEDERAL EXPENDITURES FUND TOTAL	\$18,685,640	\$18,980,812	\$17,406,155	\$17,578,670

OTHER SPECIAL REVENUE FUNDS	History 2017-18	History 2018-19	2019-20	2020-21
Personal Services	\$72,668	\$76,000	\$73,828	\$76,227
All Other	\$209,267	\$209,267	\$209,267	\$209,267
OTHER SPECIAL REVENUE FUNDS TOTAL	\$281,935	\$285,267	\$283,095	\$285,494

Justification:

This account funds the central administrative functions of the Bureau of Rehabilitation Services and the direct-service programs of the Division of Vocational Rehabilitation (DVR). The majority of the budget, which provides \$4 of Federal funding for each \$1 of General Fund support, allows for DVR to provide comprehensive vocational rehabilitation services to individuals with disabilities to enable them to obtain or maintain competitive employment. In addition, this account includes the budget for the Division on Deafness, Hard of Hearing and Late Deafened which oversees contracts to provide advocacy and support to a possible 100,000 Deaf, Hard of Hearing and Late Deafened individuals in Maine. Some independent living services are also provided to assist Mainers with disabilities obtain minor accommodations to their homes so that they do not need to go into nursing homes. All these services are supported through a Federal-State Vocational Rehabilitation partnership. Each year the division provides services in the form of counseling, training, job placement, advocacy and oversight of an Independent Living Services contract to over 10,000 people with disabilities.

Rehabilitation Services 0799

Initiative: Continues one limited-period Rehabilitation Services Manager position and 3 limited-period Rehabilitation Counselor I positions previously established by Public Law 2017, chapter 284, Part A through June 12, 2021 and provides funding for related All Other costs.

Ref. #: 2096

Committee Vote:

IN

AFA Vote:

12-0

FEDERAL EXPENDITURES FUND	2019-20	2020-21
Personal Services	\$327,102	\$331,235
All Other	\$1,470,482	\$1,574,059

FEDERAL EXPENDITURES FUND TOTAL

\$1,797,584 \$1,905,294

Justification:

The Division of Vocational Rehabilitation was awarded a new federal grant in state fiscal year 2017 to support innovative activities aimed at improving the employment outcomes of individuals with disabilities. The grant funding is being used to increase partnerships between the bureau, community organizations and school systems. The grant funding is being used to expand employer relationships and conduct rigorous evaluations of current and new strategies with the goal of determining best practices for students with disabilities in the transition stage between school and employment. The five year grant will end June 30, 2021.

Rehabilitation Services 0799

Initiative: Transfers 2 Rehabilitation Counselor I positions from 100% General Fund to 100% Federal Expenditures Fund within the same program. Transfers the savings from Personal Services in the General Fund to All Other in the Federal Expenditures Fund to offset the cost to Personal Services from the transfer of the positions.

Ref. #: 2097

Committee Vote:

IN
12-0

AFA Vote: _____

GENERAL FUND

POSITIONS - LEGISLATIVE COUNT

Personal Services

All Other

	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$122,157)	(\$127,461)
All Other	\$122,157	\$127,461

GENERAL FUND TOTAL

\$0 \$0

Ref. #: 2098

Committee Vote:

IN
12-0

AFA Vote: _____

FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT

Personal Services

All Other

	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$122,157	\$127,461
All Other	(\$122,157)	(\$127,461)

FEDERAL EXPENDITURES FUND TOTAL

\$0 \$0

Justification:

This initiative transfers the positions from the General Fund to the Federal Expenditures Fund as the positions are no longer used as state match for the federal grant. The result of this initiative is no cost to the Federal Expenditures Fund program from the transfer of the positions.

Rehabilitation Services 0799

Initiative: Provides funding for contractual counseling services performed jointly by the Department of Labor and the Department of Health and Human Services.

Ref. #: 2099

Committee Vote:

IN
12-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

All Other

	2019-20	2020-21
All Other	\$181,842	\$181,842

OTHER SPECIAL REVENUE FUNDS TOTAL

\$181,842 \$181,842

Justification:

Currently, the two departments provide funding for a joint contract with a provider to provide Social Security benefits counseling. The initiative provides the mechanism to transfer the funds from Health and Human Services to Labor.

Rehabilitation Services 0799

Initiative: Establishes one Rehabilitation Consultant position.

Ref. #: 2100

Committee Vote:

IN

AFA Vote:

12-0

FEDERAL EXPENDITURES FUND

POSITIONS - LEGISLATIVE COUNT

Personal Services

FEDERAL EXPENDITURES FUND TOTAL

2019-20 2020-21

1.000 1.000

\$82,904 \$86,758

\$82,904 \$86,758

Justification:

This initiative establishes one full-time Rehabilitation Consultant position. The Division of Vocational Rehabilitation needs this central administrative position to carry out state responsibilities under the federal Workforce Innovation & Opportunity Act, including improving the effectiveness in serving employers; training staff and community rehabilitation providers; and upholding a State Plan that meets the needs of people with disabilities for competitive integrated employment.

**REHABILITATION SERVICES 0799
PROGRAM SUMMARY**

GENERAL FUND	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	19.000	19.000	17.000	17.000
Personal Services	\$1,337,145	\$1,372,807	\$1,292,150	\$1,321,412
All Other	\$2,852,092	\$3,242,485	\$3,364,642	\$3,369,946
GENERAL FUND TOTAL	\$4,189,237	\$4,615,292	\$4,656,792	\$4,691,358

FEDERAL EXPENDITURES FUND	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	100.000	97.000	100.000	100.000
Personal Services	\$7,708,742	\$7,728,019	\$8,158,876	\$8,344,682
All Other	\$10,976,898	\$11,252,793	\$11,127,767	\$11,226,040
FEDERAL EXPENDITURES FUND TOTAL	\$18,685,640	\$18,980,812	\$19,286,643	\$19,570,722

OTHER SPECIAL REVENUE FUNDS	History 2017-18	History 2018-19	2019-20	2020-21
Personal Services	\$72,668	\$76,000	\$73,828	\$76,227
All Other	\$209,267	\$209,267	\$391,109	\$391,109
OTHER SPECIAL REVENUE FUNDS TOTAL	\$281,935	\$285,267	\$464,937	\$467,336

Safety Education and Training Programs 0161

Initiative: BASELINE BUDGET

	History 2017-18	History 2018-19	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	16.000	15.000	15.000	15.000
Personal Services	\$1,129,101	\$1,102,151	\$1,135,466	\$1,161,232
All Other	\$1,078,348	\$1,094,010	\$1,094,010	\$1,094,010
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,207,449	\$2,196,161	\$2,229,476	\$2,255,242

Justification:

The purpose of the Safety Education and Training Fund (SETF) is to: improve occupational safety and health attitudes, programs and procedures in Maine workplaces; identify and promote initiatives to reduce the frequency, severity and cost of work-related injuries and illnesses; and promote best practice safety and health programs. To achieve these goals, the Bureau of Labor Standards provides technical assistance (including on-site consultation) to employers, trains employers and employees and supports private and public safety and health initiatives and research through a grant program. In addition, SETF funds support the bureau's research and information dissemination activities.

This program contains no General Fund appropriations.

Safety Education and Training Programs 0161

Initiative: Reallocates the cost of one Director Wage and Hour Division position from 100% Regulation and Enforcement program, General Fund to 92% Regulation and Enforcement program, General Fund and 8% Safety Education and Training Programs program, Other Special Revenue Funds.

Ref. #: 2076

Committee Vote:

IN

AFA Vote:

OTHER SPECIAL REVENUE FUNDS

Personal Services

12-0

2019-20

2020-21

\$9,020

\$9,094

OTHER SPECIAL REVENUE FUNDS TOTAL

\$9,020

\$9,094

Justification:

Reallocates the cost of the director position to be in line with the staff allocation in use. The director routinely performs work meeting Safety Education and Training qualifications.

Safety Education and Training Programs 0161

Initiative: Reallocates the cost of one Director, Bureau of Labor Standards position and one Public Service Manager II position from 34.5% Administration - Bureau of Labor Standards program, General Fund, 60% Safety Education and Training Programs program, Other Special Revenue Funds and 5.5% Administration - Bureau of Labor Standards program, Federal Expenditures Fund to 34.5% Administration - Bureau of Labor Standards program, General Fund and 65.5% Safety Education and Training Programs program, Other Special Revenue Funds and adjust All Other costs.

Ref. #: 2077

Committee Vote:

IN

AFA Vote:

12-0

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
Personal Services	\$12,487	\$12,807
All Other	(\$12,487)	(\$12,807)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Justification:

This aligns the Personal Services to the appropriate funding sources.

Safety Education and Training Programs 0161

Initiative: Provides funding for the pending reorganization of one Occupational Safety Engineer position to an Occupational Health and Safety Program Supervisor position, 2 Occupational Safety Engineer positions to Occupational Health Specialist positions and one Planning and Research Associate II position to a Substance Abuse Program Specialist position.

Ref. #: 2078

Committee Vote:

IN
12-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
Personal Services	\$5,959	\$5,914
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,959	\$5,914

Justification:

Provides funding for the pending management-initiated reorganization that has been submitted to the Bureau of Human Resources.

Safety Education and Training Programs 0161

Initiative: Provides funding for the proposed reorganization of one Director Wage and Hour Division position to a Director Industrial Safety position.

Ref. #: 2079

Committee Vote:

IN
12-0

AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2019-20	2020-21
Personal Services	\$532	\$836
OTHER SPECIAL REVENUE FUNDS TOTAL	\$532	\$836

Justification:

The current Director job specifications are out of date and do not reflect the needs of the Bureau. The current job specifications reference regulatory requirements that are repealed and do not address additional regulatory requirements now in effect. Additionally, the Director's responsibilities have grown due to changes in staffing, the new penalty assessment program, information technology advancements, education and outreach requests, and legislative requests (both internal and external). The increased responsibilities and regulatory oversight has helped advance the minor work permit program from 2,967 work permit applications in 2014 to 4261 in 2017. Education and Outreach requests have

more than quadrupled, requiring the Director to participate in additional venues as the subject matter expert. While there is a decrease in enforcement with some regulatory requirements; overall, there is an increase in violations found leading to the need for increased technical assistance by the Director and additional enforcement of penalties for prior violators. The Division's new penalty structure will promote efficiency but will require additional work requirements for the Director as both assessments and appeals are handled first at the Director's level.

Safety Education and Training Programs 0161

Initiative: Transfers and reallocates the cost of one Statistical Program Supervisor position from 100% Safety Education and Training Programs program, Other Special Revenue Funds to 55% Administration - Bureau of Labor Standards program, Federal Expenditures Fund and 45% Safety Education and Training Programs program, Other Special Revenue Funds.

Ref. #: 2080	Committee Vote: <u>IN</u>	AFA Vote: _____		
			12-0	
OTHER SPECIAL REVENUE FUNDS			2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT			(1,000)	(1,000)
Personal Services			(\$42,783)	(\$44,818)
OTHER SPECIAL REVENUE FUNDS TOTAL			(\$42,783)	(\$44,818)

Justification:

This aligns the Personal Services to the appropriate funding sources.

Safety Education and Training Programs 0161

Initiative: Establishes one Staff Development Coordinator position and reduces All Other to fund the position.

Ref. #: 2081	Committee Vote: <u>IN</u>	AFA Vote: _____		
			12-0	
OTHER SPECIAL REVENUE FUNDS			2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT			1,000	1,000
Personal Services			\$89,672	\$94,010
All Other			(\$89,672)	(\$94,010)
OTHER SPECIAL REVENUE FUNDS TOTAL			\$0	\$0

Justification:

This initiative establishes one full-time Staff Development Coordinator position to serve as the Bureau of Labor Standards training coordinator. The position will provide training and outreach to navigate services with the federal Occupational Safety and Health Administration; with union, trade and industry groups; and other agencies; and compliance training in best practices in the workplace, minimizing the need for enforcement activity.

**SAFETY EDUCATION AND TRAINING PROGRAMS 0161
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	16.000	15.000	15.000	15.000
Personal Services	\$1,129,101	\$1,102,151	\$1,210,353	\$1,239,075
All Other	\$1,078,348	\$1,094,010	\$991,851	\$987,193
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,207,449	\$2,196,161	\$2,202,204	\$2,226,268

State Workforce Investment Board Z158

Initiative: BASELINE BUDGET

	History 2017-18	History 2018-19	2019-20	2020-21
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	3.000	3.000	3.000	3.000
Personal Services	\$336,934	\$346,649	\$352,992	\$360,711
All Other	\$52,751	\$52,751	\$52,751	\$52,751
FEDERAL EXPENDITURES FUND TOTAL	\$389,685	\$399,400	\$405,743	\$413,462
	History 2017-18	History 2018-19	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS				
Personal Services	\$0	\$0	\$0	\$0
All Other	\$81,708	\$81,708	\$81,708	\$81,708
OTHER SPECIAL REVENUE FUNDS TOTAL	\$81,708	\$81,708	\$81,708	\$81,708

Justification:

The State Workforce Investment Board (SWIB), formerly known as the Maine Jobs Council, was established with the realization that a more coordinated effort between business, labor, education, community organizations and the public is required to meet the current and future skills requirements for both employers and employees. The SWIB is focused on the following goals: closing the skills gap that exists between employer demand and current employee skill sets; encouraging employers to invest in the education and training of their employees through the creation and implementation of industry partnerships; ensure requisite coordination among the state public education and training institutions; and to ensure that public resources are targeted and tied to high quality measurable outcomes. To facilitate these goals, the SWIB works in conjunction with the Bureau of Employment Services to assist in the coordination of training, outreach, apprenticeship programs and the establishment of better training opportunities for individuals for current and future high demand jobs.

State Workforce Investment Board Z158

Initiative: Reduces allocation to reflect a decrease in funding support provided by other state agencies to the State Workforce Investment Board program.

Ref. #: 2123

Committee Vote:

IN

AFA Vote:

12-0

	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS		
All Other	(\$78,708)	(\$78,708)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$78,708)	(\$78,708)

Justification:

In past years, other agencies provided funding to support the State Workforce Investment Board. This funding is not being continued and therefore the allocation can be reduced.

**STATE WORKFORCE INVESTMENT BOARD Z158
PROGRAM SUMMARY**

FEDERAL EXPENDITURES FUND	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	3.000	3.000	3.000	3.000
Personal Services	\$336,934	\$346,649	\$352,992	\$360,711
All Other	\$52,751	\$52,751	\$52,751	\$52,751
FEDERAL EXPENDITURES FUND TOTAL	\$389,685	\$399,400	\$405,743	\$413,462
OTHER SPECIAL REVENUE FUNDS	History 2017-18	History 2018-19	2019-20	2020-21
Personal Services	\$0	\$0	\$0	\$0
All Other	\$81,708	\$81,708	\$3,000	\$3,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$81,708	\$81,708	\$3,000	\$3,000

Workforce Research Z164

Initiative: BASELINE BUDGET

	History 2017-18	History 2018-19	2019-20	2020-21
GENERAL FUND				
POSITIONS - LEGISLATIVE COUNT	0.000	1.000	1.000	1.000
Personal Services	\$70,649	\$148,548	\$164,058	\$168,778
All Other	\$184,011	\$184,011	\$184,011	\$184,011
GENERAL FUND TOTAL	\$254,660	\$332,559	\$348,069	\$352,789
FEDERAL EXPENDITURES FUND				
POSITIONS - LEGISLATIVE COUNT	20.500	16.500	16.500	16.500
Personal Services	\$1,734,243	\$1,443,434	\$1,446,655	\$1,481,379
All Other	\$1,030,681	\$1,030,681	\$1,030,681	\$1,030,681
FEDERAL EXPENDITURES FUND TOTAL	\$2,764,924	\$2,474,115	\$2,477,336	\$2,512,060
OTHER SPECIAL REVENUE FUNDS				
All Other	\$54,379	\$54,379	\$54,379	\$54,379
OTHER SPECIAL REVENUE FUNDS TOTAL	\$54,379	\$54,379	\$54,379	\$54,379

Justification:

The Workforce Research program supports services within the Department's Center for Workforce Research and Information. Services include the collection, analysis and dissemination of labor market information to assist Maine jobseekers, employers, policymakers, economic developers, educators, training planners and career guidance experts in making key decisions and plans for the future. In addition, the department is provided with economic, management, actuarial and strategic analysis to guide program planning and delivery for unemployment insurance systems and employment and training programs.

Workforce Research Z164

Initiative: Transfers and reallocates the cost of one Senior Economic Research Analyst position from 100% Federal Expenditures Fund to 80% General Fund and 20% Federal Expenditures Fund and transfers one vacant Statistical Program Supervisor position from the General Fund to the Federal Expenditures Fund within the same program. Also adjusts the Personal Services savings to All Other.

Ref. #: 2128

Committee Vote:

IN
12-0

AFA Vote: _____

GENERAL FUND

	2019-20	2020-21
Personal Services	(\$15,843)	(\$16,562)
All Other	\$15,843	\$16,562
GENERAL FUND TOTAL	\$0	\$0

Ref. #: 2129

Committee Vote:

IN
12-0

AFA Vote: _____

FEDERAL EXPENDITURES FUND	2019-20	2020-21
Personal Services	\$15,843	\$16,562
FEDERAL EXPENDITURES FUND TOTAL	\$15,843	\$16,562

Justification:

This initiative accurately realigns appropriate funding sources for work that will be performed by the staff assigned to the Center for Workforce Research and Information Bureau. The Personal Services savings generated from this initiative will be transferred to All Other within the same General Fund account to help fund the cost of operating the bureau such as general office supplies.

**WORKFORCE RESEARCH Z164
PROGRAM SUMMARY**

GENERAL FUND	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	0.000	1.000	1.000	1.000
Personal Services	\$70,649	\$148,548	\$148,215	\$152,216
All Other	\$184,011	\$184,011	\$199,854	\$200,573
GENERAL FUND TOTAL	\$254,660	\$332,559	\$348,069	\$352,789

FEDERAL EXPENDITURES FUND	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	20.500	16.500	16.500	16.500
Personal Services	\$1,734,243	\$1,443,434	\$1,462,498	\$1,497,941
All Other	\$1,030,681	\$1,030,681	\$1,030,681	\$1,030,681
FEDERAL EXPENDITURES FUND TOTAL	\$2,764,924	\$2,474,115	\$2,493,179	\$2,528,622

OTHER SPECIAL REVENUE FUNDS	History 2017-18	History 2018-19	2019-20	2020-21
All Other	\$54,379	\$54,379	\$54,379	\$54,379
OTHER SPECIAL REVENUE FUNDS TOTAL	\$54,379	\$54,379	\$54,379	\$54,379

LABOR, DEPARTMENT OF

DEPARTMENT TOTALS

	2019-20	2020-21
GENERAL FUND	\$11,486,210	\$11,579,301
FEDERAL EXPENDITURES FUND	\$77,259,643	\$78,145,413
OTHER SPECIAL REVENUE FUNDS	\$12,387,571	\$12,478,216
EMPLOYMENT SECURITY TRUST FUND	\$174,350,000	\$174,350,000
COMPETITIVE SKILLS SCHOLARSHIP FUND	\$3,783,191	\$3,814,113
DEPARTMENT TOTAL - ALL FUNDS	\$279,266,615	\$280,367,043

Sec. A-58. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF

Division of Building Codes and Standards Z073

Initiative: BASELINE BUDGET

	History 2017-18	History 2018-19	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	1.000	1.000	1.000	1.000
Personal Services	\$68,160	\$68,771	\$69,178	\$72,584
All Other	\$38,409	\$38,404	\$38,404	\$38,404
OTHER SPECIAL REVENUE FUNDS TOTAL	\$106,569	\$107,175	\$107,582	\$110,988

Justification:

The Division of Building Codes and Standards exist to adopt, amend and maintain the Maine Uniform Building and Energy Codes and provide training for municipal building officials, local code enforcement officers, and third-party inspectors.

DIVISION OF BUILDING CODES AND STANDARDS Z073

PROGRAM SUMMARY

	History 2017-18	History 2018-19	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	1.000	1.000	1.000	1.000
Personal Services	\$68,160	\$68,771	\$69,178	\$72,584
All Other	\$38,409	\$38,404	\$38,404	\$38,404
OTHER SPECIAL REVENUE FUNDS TOTAL	\$106,569	\$107,175	\$107,582	\$110,988

PUBLIC SAFETY, DEPARTMENT OF

DEPARTMENT TOTALS

2019-20

2020-21

OTHER SPECIAL REVENUE FUNDS

\$107,582

\$110,988

DEPARTMENT TOTAL - ALL FUNDS

\$107,582

\$110,988

Sec. A-60. Appropriations and allocations. The following appropriations and allocations are made.

RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES

Retirement System - Retirement Allowance Fund 0085

Initiative: BASELINE BUDGET

	History 2017-18	History 2018-19	2019-20	2020-21
GENERAL FUND				
All Other	\$240,296	\$297,902	\$409,720	\$409,720
GENERAL FUND TOTAL	\$240,296	\$297,902	\$409,720	\$409,720

Justification:

2 MRSA. §1-A establishes retirement benefits for Maine Governors and their surviving spouses and directs the Maine Public Employees Retirement System to estimate the appropriation necessary to fund benefits payable during the upcoming biennium. Under the provisions of 4 MRSA. §1402, the system is also responsible for the payment of retirement benefits to judges who retired prior to 1984 and their surviving spouses. 4 MRSA. §1403 directs the system to estimate the appropriation necessary to fund benefits payable during the upcoming biennium.

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.

Ref. #: 2562

Committee Vote:

IN
13-0

AFA Vote: _____

GENERAL FUND		2019-20	2020-21
All Other		\$28,702	\$32,732
GENERAL FUND TOTAL		\$28,702	\$32,732

Justification:

Title 2, M.R.S.A. §1-A establishes retirement benefits for Maine Governors and their surviving spouses and directs the Maine Public Employees Retirement System to estimate the appropriation necessary to fund benefits payable during the upcoming biennium.

Retirement System - Retirement Allowance Fund 0085

Initiative: Adjusts funding for benefits for pre-1984 judges and surviving spouses under the Maine Revised Statutes, Title 4, section 1403.

Ref. #: 2563

Committee Vote:

IN
13-0

AFA Vote: _____

GENERAL FUND		2019-20	2020-21
All Other		(\$113,591)	(\$105,905)
GENERAL FUND TOTAL		(\$113,591)	(\$105,905)

Justification:

Pursuant to Title 4, M.R.S.A. §1402, the Maine Public Employees Retirement System is responsible for the payment of retirement benefits to judges who retired prior to 1984 and their surviving spouses. Title 4, M.R.S.A. §1403 directs the Maine Public Employees Retirement System to estimate the appropriation necessary to fund benefits payable during the upcoming biennium. This initiative is recognizing an ongoing reduction in funding need due to the loss of one beneficiary.

Retirement System - Retirement Allowance Fund 0085

Initiative: Reduces funding for benefits for pre-1984 judges and surviving spouses under the Maine Revised Statutes, Title 4, section 1403 for the 2020-2021 biennium by recognizing one-time savings achieved by using available balances from prior years.

Ref. #: 2564 One Time Committee Vote: IN AFA Vote: _____

13-0

GENERAL FUND	2019-20	2020-21
All Other	(\$128,091)	(\$135,777)
GENERAL FUND TOTAL	(\$128,091)	(\$135,777)

Justification:

Pursuant to Title 4, M.R.S.A. §1402, the Maine Public Employees Retirement System is responsible for the payment of retirement benefits to judges who retired prior to 1984 and their surviving spouses. Title 4, M.R.S.A. §1403 directs the Maine Public Employees Retirement System to estimate the appropriation necessary to fund benefits payable during the upcoming biennium. This initiative is recognizing one-time savings achieved by using available balances from prior years.

**RETIREMENT SYSTEM - RETIREMENT ALLOWANCE FUND 0085
PROGRAM SUMMARY**

GENERAL FUND	History 2017-18	History 2018-19	2019-20	2020-21
All Other	\$240,296	\$297,902	\$196,740	\$200,770
GENERAL FUND TOTAL	\$240,296	\$297,902	\$196,740	\$200,770

RETIREMENT SYSTEM, MAINE PUBLIC EMPLOYEES

DEPARTMENT TOTALS	2019-20	2020-21
GENERAL FUND	\$196,740	\$200,770
DEPARTMENT TOTAL - ALL FUNDS	\$196,740	\$200,770

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

DEPARTMENT TOTALS	2019-20	2020-21
GENERAL FUND	\$1,129,110	\$1,134,666
DEPARTMENT TOTAL - ALL FUNDS	\$1,129,110	\$1,134,666

Sec. A-68. Appropriations and allocations. The following appropriations and allocations are made.

WORKERS' COMPENSATION BOARD

Administration - Workers' Compensation Board 0183

Initiative: BASELINE BUDGET

	History 2017-18	History 2018-19	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS				
POSITIONS - LEGISLATIVE COUNT	108.000	108.000	107.000	107.000
Personal Services	\$9,422,856	\$9,587,827	\$9,834,473	\$9,976,497
All Other	\$2,418,469	\$2,454,650	\$2,454,650	\$2,454,650
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,841,325	\$12,042,477	\$12,289,123	\$12,431,147

Justification:

The Workers' Compensation Board serves the employees and employers of the state by ensuring compliance with the workers' compensation laws, ensuring the prompt payment of benefits legally due, resolving disputes through the agency's dispute resolution process and facilitating labor-management cooperation.

Administration - Workers' Compensation Board 0183

Initiative: Provides funding for increases in operational expenses.

Ref. #: 2702

Committee Vote:

IN
13-0

AFA Vote: _____

	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS		
All Other	\$110,651	\$114,219
OTHER SPECIAL REVENUE FUNDS TOTAL	\$110,651	\$114,219

Justification:

This initiative will realign budgeted expenditures to more accurately reflect the agency's expenditure trends for rents, general operations, OIT and STA-CAP charges. The estimated increase in insurance assessment revenue provides the resources to cover the increased costs.

Administration - Workers' Compensation Board 0183

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

Ref. #: 2703

Committee Vote:

IN
13-0

AFA Vote: _____

	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS		
Personal Services	\$12,432	\$12,735
OTHER SPECIAL REVENUE FUNDS TOTAL	\$12,432	\$12,735

Justification:

This position is being reorganized to meet operational needs. A Clerk IV will provide daily supervision for the Claims Management Unit and this initiative will create parity between the supervisors of the Board's central administrative office Units. This reorganization was approved by the Bureau of Human Resources in May 2018.

Administration - Workers' Compensation Board 0183

Initiative: Provides funding for the pending reorganization of one Law Clerk position to a Counsel position.

Ref. #: 2704

Committee Vote:

IN

AFA Vote: _____

13-0

OTHER SPECIAL REVENUE FUNDS

Personal Services

2019-20

2020-21

\$16,509

\$16,964

OTHER SPECIAL REVENUE FUNDS TOTAL

\$16,509

\$16,964

Justification:

This position is being reorganized to meet operational needs. A review indicated the position duties are more closely aligned with a Counsel.

ADMINISTRATION - WORKERS' COMPENSATION BOARD 0183

PROGRAM SUMMARY

OTHER SPECIAL REVENUE FUNDS	History 2017-18	History 2018-19	2019-20	2020-21
POSITIONS - LEGISLATIVE COUNT	108.000	108.000	107.000	107.000
Personal Services	\$9,422,856	\$9,587,827	\$9,863,414	\$10,006,196
All Other	\$2,418,469	\$2,454,650	\$2,565,301	\$2,568,869
OTHER SPECIAL REVENUE FUNDS TOTAL	\$11,841,325	\$12,042,477	\$12,428,715	\$12,575,065

Employment Rehabilitation Program 0195

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	History 2017-18	History 2018-19	2019-20	2020-21
All Other	\$125,000	\$125,000	\$125,000	\$125,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$125,000	\$125,000	\$125,000	\$125,000

Justification:

The Employment Rehabilitation Fund was established for the sole purpose of making payments in accordance with Maine Revised Statutes, Title 39-A, section 101, et seq.

Pursuant to Maine Revised Statutes, Title 39-A, section 355, employers are entitled to reimbursement for certain wage loss benefits if an employee that has completed rehabilitation efforts suffers a subsequent injury that is more serious because of the first injury. Employers may also be entitled to a wage credit when hiring employees that have successfully completed rehabilitation programs pursuant to Maine Revised Statutes, Title 39-A, section 217.

Evaluations for rehabilitation conducted pursuant to Maine Revised Statutes, Title 39-A, section 217, subsection 1 must be paid from the Employment Rehabilitation Fund.

The costs of implementing plans must be paid from the Employment Rehabilitation Fund if an employer refuses to pay voluntarily. These expenditures may be recovered if the plan is successful.

**EMPLOYMENT REHABILITATION PROGRAM 0195
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	History 2017-18	History 2018-19	2019-20	2020-21
All Other	\$125,000	\$125,000	\$125,000	\$125,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$125,000	\$125,000	\$125,000	\$125,000

Workers' Compensation Board 0751

Initiative: BASELINE BUDGET

OTHER SPECIAL REVENUE FUNDS	History 2017-18	History 2018-19	2019-20	2020-21
Personal Services	\$10,000	\$10,000	\$10,000	\$10,000
All Other	\$10,820	\$10,820	\$10,820	\$10,820
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,820	\$20,820	\$20,820	\$20,820

Justification:

This program is the account established to support the official business of the board of directors and it is funded within the available current services funds. This account funds the board members' per diem and travel expenses.

**WORKERS' COMPENSATION BOARD 0751
PROGRAM SUMMARY**

OTHER SPECIAL REVENUE FUNDS	History 2017-18	History 2018-19	2019-20	2020-21
Personal Services	\$10,000	\$10,000	\$10,000	\$10,000
All Other	\$10,820	\$10,820	\$10,820	\$10,820
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,820	\$20,820	\$20,820	\$20,820

WORKERS' COMPENSATION BOARD

DEPARTMENT TOTALS	2019-20	2020-21
OTHER SPECIAL REVENUE FUNDS	\$12,574,535	\$12,720,885
DEPARTMENT TOTAL - ALL FUNDS	\$12,574,535	\$12,720,885

PART OO

Amend

7-6

* See report-back
Memo

Sec. OO-1. 5 MRSA c. 393 is enacted to read:

Chapter 393: Building Codes and Standards

§13180. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Board. "Board" means the Technical Building Codes and Standards Board established in section 12004-G, subsection 5-A.

2. Building official. "Building official" means a building official appointed pursuant to Title 25, section 2351-A.

3. Code. "Code" means the Maine Uniform Building and Energy Code adopted pursuant to Title 10, chapter 1103.

4. Director. "Director" means the Director of the Office of Community Development, Department of Economic and Community Development.

5. Division. "Division" means the Division of Building Codes and Standards established in section 13181.

6. Third party inspector. "Third party inspector" means a person certified by the State to conduct inspections under Title 30-A, section 4451 for compliance with the code. A 3rd party inspector may not hold a pecuniary interest, directly or indirectly, in any building for which the 3rd party inspector issues an inspection report pursuant to section 13182 and may not serve as a 3rd party inspector in any municipality where that 3rd party inspector has been appointed as a building official or code enforcement officer.

§13181. Division of Building Codes and Standards

1. Established. The Division of Building Codes and Standards is established within the Department of Economic and Community Development, Office of Community Development to provide administrative support and technical assistance to the board in executing its duties pursuant to Title 10, section 9722, subsection 6.

2. Duties. The Director will assign staff that, certified in building standards pursuant to Title 30-A, section 4451, subsection 2-A, paragraph E, for the Division of Building Codes and Standards shall attend meetings of the board, keep records of the proceedings of the board and carry out the duties of the board, including but not limited to providing technical support and public outreach for the adoption of the code, amendments, conflict resolutions and interpretations. Technical support and public outreach must include, but may not be limited to:

A. Providing nonbinding interpretation of the code for professionals and the general public; and

B. Establishing and maintaining a publicly accessible website to publish general technical assistance, code updates and interpretations and post-training course schedules.

§13182. Municipal Inspection Options

The code must be enforced in a municipality that has more than 4,000 residents. The code must be enforced through inspections that comply with the code through any of the following means:

1. Building officials. Building officials and local code enforcement officers;

2. Interlocal agreements. Interlocal agreements with other municipalities that share the use of building officials certified in building standards pursuant to Title 10, section 9723;

3. Contractual agreements. Contractual agreements with county or regional authorities that share the use of building officials certified in building standards pursuant to Title 10, section 9723; and

4. Third-party inspectors. Reports from 3rd party inspectors certified pursuant to Title 10, section 9723 submitted to the building official prior to obtaining a certificate of occupancy in Title 25, section 2357-A that are obtained pursuant to independent contractual arrangements between the building owner and 3rd party inspector or the municipality and 3rd party inspector.

§13183. Maine Code Enforcement Training and Certification Fund

The Maine Code Enforcement Training and Certification Fund, referred to in this section as "the fund," is established within the Department of Economic and Community Development, Office of Community Development to fund the activities of the division under this chapter and the activities of the board under Title 10, chapter 1103 and the Department of Economic and Community Development, Office of Community Development under Title 30-A, section 4451, subsection 3-A. Revenue for this fund is provided by the surcharge established by Title 25, section

2450-A and deposited to the fund. Any balance of the fund may not lapse, but must be carried forward as a continuing account to be expended for the same purpose in the following fiscal year.

Sec. OO-2. 10 MRSA §9722, sub-§1, as amended by PL 2011, c. 633, §5, is further amended to read:

1. Establishment. The Technical Building Codes and Standards Board, established in Title 5, section 12004-G, subsection 5-A and located within the Department of ~~Public Safety, Office of the State Fire Marshal,~~Economic and Community Development, Office of Community Development, is established to adopt, amend and maintain the Maine Uniform Building and Energy Code, to resolve conflicts between the Maine Uniform Building and Energy Code and the fire and life safety codes in Title 25, sections 2452 and 2465 and to provide for training for municipal building officials, local code enforcement officers and 3rd party inspectors.

Sec. OO-3. 10 MRSA §9722, sub-§3, as enacted by PL 2007, c. 699, §6, is amended to read:

3. Ex officio member; chair. The ~~Commissioner~~Director of ~~Public Safety~~the Office of Community Development, or the ~~commissioner's~~director's designee, serves as an ex officio member and as the chair of the board. The chair is a nonvoting member, except in the case of a tie of the board. The chair is responsible for ensuring that the board maintains the purpose of its charge when executing its assigned duties, that any adoption and amendment requirements for the Maine Uniform Building and Energy Code are met and that training and technical assistance is provided to municipal building officials.

Sec. OO-4. 10 MRSA §9723, sub-§1, as enacted by PL 2007, c. 699, §6, is amended to read:

1. Appoint committee; establish requirements. The board shall appoint a 5-member training and certification committee, referred to in this section as "the committee," to establish the training and certification requirements for municipal building officials, local code enforcement officers and 3rd party inspectors. For purposes of this section, "3rd party inspector" has the same meaning as set forth in Title ~~255~~, section ~~2371~~13180, subsection 6.

Sec. OO-5. 10 MRSA §9723, sub-§2, as repealed and replaced by PL 2013, c. 424, Pt. A, §3, is amended to read:

2. Training program standards; implementation. The committee shall direct ~~the training coordinator~~ of the Division of Building Codes and Standards, established in Title ~~255~~, section ~~2372~~13181, to develop a training program for municipal building officials, local code enforcement officers and 3rd party inspectors. The Department of Economic and Community Development, Office of Community Development, pursuant to Title 30-A, section 4451,

subsection 3-A, shall implement the training and certification program established under this chapter.

Sec. OO-6. 10 MRSA §9724, sub-§1, as amended by PL 2011, c. 408, §4, is further amended to read:

1. Limitations on home rule authority. This chapter provides express limitations on municipal home rule authority. The Maine Uniform Building and Energy Code must be enforced in a municipality that has more than 4,000 residents and that has adopted any building code by August 1, 2008. Beginning July 1, 2012, the Maine Uniform Building and Energy Code must be enforced in a municipality that has more than 4,000 residents and that has not adopted any building code by August 1, 2008. The Maine Uniform Building and Energy Code must be enforced through inspections that comply with Title 25, section ~~2373~~13182.

Sec. OO-7. 10 MRSA §9724, sub-§1-A, as enacted by PL 2011, c. 408, §5, is amended to read:

1-A. Municipalities up to 4,000 residents. A municipality of up to 4,000 residents may not adopt or enforce a building code other than the Maine Uniform Building Code, the Maine Uniform Energy Code or the Maine Uniform Building and Energy Code. Notwithstanding any other provision of this chapter or Title ~~255~~, chapter ~~314393~~, the provisions of the Maine Uniform Building Code, the Maine Uniform Energy Code or the Maine Uniform Building and Energy Code do not apply in a municipality that has 4,000 or fewer residents except to the extent the municipality has adopted that code pursuant to this subsection.

Sec. OO-8. 25 MRSA §2353-A, as amended by PL 2011, c. 582, §4, is further amended to read:

The building official shall inspect each building during the process of construction so far as may be necessary to see that all proper safeguards against the catching or spreading of fire are used, that the chimneys and flues are made safe and that proper cutoffs are placed between the timbers in the walls and floorings where fire would be likely to spread, and may give such directions in writing to the owner or contractor as the building official considers necessary concerning the construction of the building so as to render the building safe from the catching and spreading of fire. For a building official in a municipality that is enforcing the Maine Uniform Building and Energy Code pursuant to Title 10, section 9724, unless the municipality is enforcing that code by means of 3rd party inspectors pursuant to Title 5, section ~~2373~~13182, subsection 4, the building official shall inspect each building during the process of construction for compliance with the Maine Uniform Building and Energy Code adopted pursuant to Title 10, chapter 1103.

Sec. OO-9. 25 MRSA §2357-A, as amended by PL 2011, c. 582, §6, is further amended to read:

A building in a municipality of more than 2,000 inhabitants may not be occupied until the building official has given a certificate of occupancy for compliance with the inspections required by section 2353-A. A building in a municipality of more than 2,000 inhabitants that has adopted or is enforcing the Maine Uniform Building and Energy Code pursuant to Title 10, section 9724 may not be occupied until the building official has given a certificate of occupancy for compliance with the Maine Uniform Building and Energy Code adopted pursuant to Title 10, chapter 1103, and in accordance with the required enforcement and inspection options provided in Title 5, section 237313182. The building official may issue the certificate of occupancy upon receipt of an inspection report by a certified 3rd party inspector pursuant to Title 5, section 237313182, subsection 4. The municipality has no obligation to review a report from a 3rd party inspector for accuracy prior to issuing the certificate of occupancy. If the owner permits it to be so occupied without such certificate, the owner must be penalized in accordance with Title 30-A, section 4452. In case the building official for any cause declines to give that certificate and the builder has in the builder's own judgment complied with section 2353-A, an appeal may be taken pursuant to Title 30-A, section 4103, subsection 5 or through an alternative appeal process that has been established by ordinance pursuant to Title 10, section 9724, subsection 5. If on such appeal it is decided that section 2353-A has been complied with, the owner of the building is not liable to a fine for want of the certificate of the building official.

Sec. OO-10. 25 MRSA §2359, as amended by PL 2009, c. 261, Pt. B, §9, is further amended to read:

An owner or occupant of a building who refuses to permit a building official to enter the building or willfully obstructs the building official in the inspection of the building as required by Title 5, chapter 393 and Title 25, chapters 313, and 315 to 321 must be penalized in accordance with Title 30-A, section 4452.

Sec. OO-11. 25 MRSA §2450-A, as repealed and replaced by PL 2013, c. 424, Pt. A, §13, is amended to read:

In addition to the fees established in section 2450, a surcharge of 4¢ per square foot of occupied space must be levied on the existing fee schedule for new construction, reconstruction, repairs, renovations or new use for the sole purpose of funding the activities of the Technical Building Codes and Standards Board with respect to the Maine Uniform Building and Energy Code, established pursuant to Title 10, chapter 1103, the activities of the Division of Building Codes and Standards under chapter ~~314~~393 and the activities of the Department of Economic and Community Development, Office of Community Development under Title 30-A, section 4451, subsection 3-A, except that the fee for review of a plan for the renovation of a public school, including the fee established under section 2450, may not exceed \$450. Revenue collected from this surcharge must be deposited into the Uniform Building Codes and Standards Fund in the Department of Public Safety and transferred to the Department of Economic and Community Development pursuant to Title 5, section 13183.

Sec. OO-12. 25 MRSA c. 314 is repealed.

Sec. OO-13. Transfer balances. Notwithstanding any other provision of law, at the close of fiscal year 2018-19, the Department of Public Safety 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 Building Codes and Standards program, Other Special Revenue Funds account related to the Maine Uniform Building and Energy Code pursuant to Title 10, to the Community Development Block Grant Program, Other Special Revenue Funds account within the Department of Economic and Community Development.

Sec. OO-14. Transfer of authority enforce rules; rulemaking exemption. Notwithstanding the provision of any other law, rules that have been promulgated by the board and are in effect on the effective date of this legislation shall continue to remain in effect and be enforceable by the Department of Economic and Community Development. The Maine Administrative Procedure Act does not apply to any changes that must be made to such rules to reflect the relocation of the board from the Department of Public Safety to the Department of Economic and Community Development.

PART OO SUMMARY

This Part relocates the Technical Building Codes and Standards Board from the Department of Public Safety to the Department of Economic and Community Development. This Part also authorizes the Department of Public Safety to transfer, at the end of fiscal year 2018-19, any balance remaining in the Division of Building Codes and Standards program, Other Special Revenue Funds account related to the Maine Uniform Building and Energy Code, to the Department of Economic and Community Development, Community Development Block Grant Program. This Part also clarifies to the fee schedule for construction, reconstruction, or repairs.

PART RR

OUT
12-0

Sec. RR-1 36 MRSA §4641-B, sub-§4-B, ¶E, as amended by PL 2017, c. 284, Pt. AAAAAAA, §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 and except that, notwithstanding paragraph F, in fiscal years 2019-20 and 2020-21, the Treasurer of State shall first credit \$2,500,000 of the revenues available under this subparagraph to the General Fund to be used in the Department of Economic and Community Development, Administration - Economic and Community Development program, General Fund account for the purpose of encouraging and supporting community and economic business growth. The Maine State Housing Authority shall deposit the funds received pursuant to this subparagraph in the Housing Opportunities fund.

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

**ECONOMIC AND COMMUNITY DEVELOPMENT. DEPARTMENT OF
Administration – Economic and Community Development 0069**

Initiative: Provides one-time funding to encourage and support economic and business growth.

GENERAL FUND	2019-20	2020-21
Personal Services	<u>\$2,500,000</u>	<u>\$2,500,000</u>
GENERAL FUND TOTAL	\$2,500,000	\$2,500,000

**PART RR
SUMMARY**

This Part requires the Treasurer of State to first credit \$2,500,000 in fiscal year 2019-20 and \$2,500,000 in fiscal year 2020-21 of the revenues from the real estate transfer tax that would have been deposited into the Housing Opportunities for Maine Fund within the Maine State Housing Authority to the General Fund to be used in the Department of Economic and Community Development, Administration - Economic and Community Development program, General Fund account.

PART 000

IN
12-0

Sec. 000-1. 2 MRSA §6, sub-§5, as amended by PL 2013, c. 405, Pt. A, §2, is further amended to read:

5. Range 86. The salaries of the following state officials and employees are within salary range 86:

~~Director of Labor Standards;~~
State Archivist;
Director, Division of Land Use Planning, Permitting and Compliance;
Chair, Maine Unemployment Insurance Commission;
Child Welfare Services Ombudsman; and
Director of the Maine Drug Enforcement Agency.

PART 000
SUMMARY

This Part removes the Director of Labor Standards from subsection 5. This bureau director position will be a Public Service Executive II position as are the other Department of Labor bureau directors.

PART PPP

IN
12-0

Sec. PPP-1. 5 MRSA §48-A, sub-§1, ¶M, as amended by PL 2017, c. 223, §2, 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~~ 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. PPP-2. 5 MRSA §48-A, sub- §4, as amended by PL 2009, c. 174, §1, is repealed.

PART PPP
SUMMARY

Section 1 of this Part removes outdated references to prior amendments. This Part also repeals the provision that sets aside funds from the Vocational Rehabilitation budget to reimburse attorneys for the costs of providing interpreting or CART services. Eliminating this provision will return such funds to supporting vocational rehabilitation services. This Part does not change the requirements under both state and federal law that attorneys provide qualified interpreting services when needed to represent their clients.

IN
12-0

PART RRR

Sec. RRR-1. 26 MRSA §1082, sub-§12, as amended by PL 1983, c. 351, §13, is amended to read:

12. Reciprocal benefit arrangements. The commissioner shall participate in any arrangements with the appropriate agencies of other states or the Federal Government for the payment of benefits on the basis of combining an individual's wages and employment covered under this chapter and his wages and employment covered under the unemployment compensation or employment security laws of other states which are approved by the United States Secretary of Labor in consultation with the state unemployment compensation agencies as reasonably calculated to assure the prompt and full payment of compensation in such situations and which include provisions for applying the base period of a single state law to a claim involving the combining of an individual's wages and employment covered under 2 or more state unemployment compensation laws, and avoiding the duplicate use of wages and employment by reason of such combining. The commissioner shall reimburse such state or federal agency for such benefits as may be paid by that agency upon the basis of wages received in employment subject to this chapter or shall receive from such state or federal agency such amounts as may be paid from the fund upon the basis of wages received in employment subject to the laws of such state or of the Federal Government.

The commissioner is authorized to enter into reciprocal agreements with the appropriate agencies of other states or the Federal Government adjusting the collection and payment of contributions by employers with respect to services of individuals not performed wholly within the jurisdiction of this State whereby such services may be agreed upon to be considered for all purposes, if the commissioner so desires, as wholly within, or wholly without, the jurisdiction of this State, notwithstanding any provisions of section 1043, subsection 11.

The commissioner is authorized to make such investigations, secure and transmit such information, make available such services and facilities and exercise such of the other powers provided herein with respect to the administration of this chapter as he deems necessary or appropriate to facilitate the administration of any unemployment compensation, employment security or public employment service law, and in like manner to accept and utilize information, services and facilities made available to this State by any agency charged with the administration of any such other unemployment compensation, employment security or public employment service law. To the extent permissible under the laws and Constitution of the United States, the commissioner is authorized to enter into or cooperate in arrangements whereby facilities and services provided under this chapter and facilities and services provided under the unemployment compensation or employment security laws of any foreign government may be utilized for the taking of claims and the payment of benefits under this chapter, or under a similar law of such government. ~~On request of any agency which administers an employment security law of another state, and which has found in accordance with such law that a claimant is liable to repay benefits received under such law by reason of having knowingly made a false statement or misrepresentation of a material fact with respect to a claim taken in this State as an agent for such agency, the commissioner may collect from such claimant the amount of such benefits to be refunded to such agency.)~~ The commissioner, by agreement with another state or the United States, as provided under Section

303(g) of the Social Security Act, may recover any overpayment of benefits paid to any individual under the laws of this state or of another state or under an unemployment benefit program of the United States. Any overpayments subject to this subsection may be deducted from any future benefits payable to the individual under the laws of this state or of another state or under an unemployment program of the United States.

In any case in which under this subsection a claimant is liable to repay any amount to the agency of another state, such amounts may be collected without interest by civil action in the name of the commissioner acting as agent for such agency.

PART RRR SUMMARY

This Part would allow the Labor Commissioner to enter into reciprocal agreements with other states to recover overpayment of UI benefits owed in this state.

IN
12-0

PART SSS

Sec. SSS-1. 26 MRSA §1192, sub-§11, as amended by PL 1991, c. 377, §14, is further amended to read:

11. Benefit payments to ~~illegal~~ aliens. ~~On and after January 1, 1978, b~~Benefits are not payable on the basis of services performed by an alien unless the alien is an individual who was lawfully admitted for permanent residence at the time the services were performed, was lawfully present for purposes of performing the services, or was permanently residing in the United States under color of law at the time the services were performed, including an alien who was lawfully present in the United States as a result of the application of the provisions of section 212(d)(5) of the Immigration and Nationality Act. Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status must be uniformly required from all applicants for benefits. In the case of an individual whose application for benefits would otherwise be approved, no determination that benefits to the individual are not payable because of the individual's alien status may be made except upon a preponderance of the evidence.

PART SSS
SUMMARY

This Part removes the term "illegal" from the eligibility for unemployment insurance benefits to reflect existing state and federal laws requiring that an individual who is an alien be lawfully residing in the United States and be eligible to work to receive unemployment benefits.

PART TTT

IN
12-0

Sec. TTT-1. 26 MRSA §1221, sub-§3, ¶A, as amended by PL 2017, c. 284, Pt. CCCCC, §2, 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 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~~2022, 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.

**PART TTT
SUMMARY**

This Part extends the begin date until January 1, 2022 for changes to the experience rating record of the most recent subject employer.

IN
12-0

PART UUU

Sec. UUU-1. 26 MRSA §1419, sub-§1, ¶B-2, as amended by PL 2011, c. 173, §1, is further amended to read:

B-2. "Specialized customer communications equipment" means communications equipment used by persons with disabilities to conduct telephone communications ~~or equipment that provides or assists in providing emergency alert notification to deaf persons or hard of hearing persons.~~ "Specialized customer communications equipment" includes but is not limited to teletypewriters, artificial larynges, signaling devices, amplified handsets, telecoil technology, large number dial overlays, direct telephone dialing, and fax machines, ~~equipment necessary to use short message services or text message services and other equipment used by persons with disabilities to provide access to telephone networks and equipment that provides or facilitates emergency alert notification to deaf persons or hard of hearing persons.~~

Sec. UUU-2. 26 MRSA §1419-A, sub-§6, as amended by PL 2009, c. 174, §21 is repealed.

Sec. UUU-3. 35-A MRSA §7104, sub-§5, as amended by PL 2007, c. 224, §3, is further amended to read:

5. Funds for Communications Equipment Fund. The commission shall annually transfer \$85,000 from a state universal service fund established pursuant to this section to the Communications Equipment Fund established under Title 26, section 1419-A.

If the Department of Labor, Bureau of Rehabilitation Services does not receive from federal or other sources funds in addition to the \$85,000 sufficient to carry out the purposes of Title 26, section 1419-A, the commission, at the request of the Department of Labor, Bureau of Rehabilitation Services, may transfer from the state universal service fund to the Communications Equipment Fund an additional \$100,000.

~~The commission may, upon the request of the Department of Labor, Bureau of Rehabilitation Services and after a finding that the funds are necessary and that sufficient attempts have been made by the Bureau of Rehabilitation Services to maximize federal support to support emergency alert telecommunications service, annually transfer up to \$57,500 from the state universal service fund established by this section to the Communications Equipment Fund established under Title 26, section 1419 A for the exclusive purpose of supporting the discount program established under Title 26, section 1419 A, subsection 6.~~

The commission may require contributions to the state universal service fund in an amount necessary to collect amounts transferred pursuant to this subsection.

**PART UUU
SUMMARY**

Section 1 of this Part modernizes the regulations of the Department of Labor, Bureau of Rehabilitation Services and of the Public Utilities Commission relating to telecommunications equipment funding for the Deaf and Hard of Hearing to reflect changes in technology and the use of such services by individuals with hearing loss. Section 2 of this Part repeals the language for Department of Labor relating to the Emergency alert telecommunications service as this service is no longer necessary. Finally, section 3 of this Part repeals the language for Public Utilities Commission relating to the Emergency Alert Telecommunications service as this service is no longer necessary.

IN
12-0

PART VVV

Sec. VVV-1. 26 MRSA §2025, as enacted by PL 1991, c. 807, §2 is repealed.

**PART VVV
SUMMARY**

This Part repeals an unfunded mandate required of the Department of Labor to provide monthly written reports to the joint standing committee of the Legislature having jurisdiction over labor matters and to report annually in person to the committee.

IN
12-0

PART WWW

Sec. WWW-1. 26 MRSA §3101-A, as enacted by PL 2017, c. 110, §25, is amended 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.

**PART WWW
SUMMARY**

This Part amends language to align state reporting with federal requirements. Federal report dates change slightly each year, but have never been requested prior to October 1.

