

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking out everything after the title and inserting the following:

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

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

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

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

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

#### **PART A**

**Sec. .**

#### **PART B**

**Sec. .**

#### **PART C**

**Sec. C-1. 20-A MRSA §15671, sub-§7, ¶B,** as amended by PL 2017, c. 284, Pt. C, §19, is further amended to read:

B. The annual targets for the state share percentage of the statewide adjusted total cost of the components of essential programs and services are as follows.

- (1) For fiscal year 2005-06, the target is 52.6%.
- (2) For fiscal year 2006-07, the target is 53.86%.
- (3) For fiscal year 2007-08, the target is 53.51%.
- (4) For fiscal year 2008-09, the target is 52.52%.

- (5) For fiscal year 2009-10, the target is 48.93%.
- (6) For fiscal year 2010-11, the target is 45.84%.
- (7) For fiscal year 2011-12, the target is 46.02%.
- (8) For fiscal year 2012-13, the target is 45.87%.
- (9) For fiscal year 2013-14, the target is 47.29%.
- (10) For fiscal year 2014-15, the target is 46.80%.
- (11) For fiscal year 2015-16, the target is 47.54%.
- (12) For fiscal year 2016-17, the target is 48.14%.
- (13) For fiscal year 2017-18, the target is 49.14%.
- (14) For fiscal year 2018-19, the target is ~~50.14%~~49.58%.
- (15) For fiscal year 2019-20, the target is 50.78%.

**Sec. C-2. 20-A MRSA §15671, sub-§7, ¶C**, as amended by PL 2017, c. 284, Pt. C, §20, is further amended to read:

C. Beginning in fiscal year 2011-12, the annual targets for the state share percentage of the total cost of funding public education from kindergarten to grade 12 including the cost of the components of essential programs and services plus the state contributions to the unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teachers' health insurance and retired teachers' life insurance are as follows.

- (1) For fiscal year 2011-12, the target is 49.47%.
- (2) For fiscal year 2012-13, the target is 49.35%.
- (3) For fiscal year 2013-14, the target is 50.44%.

- (4) For fiscal year 2014-15, the target is 50.13%.
- (5) For fiscal year 2015-16, the target is 50.08%.
- (6) For fiscal year 2016-17, the target is 50.82%.
- (7) For fiscal year 2017-18, the target is 52.02%.
- (8) For fiscal year 2018-19, the target is ~~53.02%~~53.37%.
- (9) For fiscal year 2019-20, the target is 55%.

**Sec. C-3. 20-A MRSA §15671-A, sub-§2, ¶B**, as amended by PL 2017, c. 446, §1, is further amended to read:

~~B. For property tax years beginning on or after April 1, 2005, the~~The commissioner shall calculate the full-value education mill rate that is required to raise the statewide total local share. The full-value education mill rate is calculated for each fiscal year by dividing the applicable statewide total local share by the applicable statewide valuation. ~~The full-value education mill rate must decline over the period from fiscal year 2005-06 to fiscal year 2008-09 and may not exceed 9.0 mills in fiscal year 2005-06 and may not exceed 8.0 mills in fiscal year 2008-09.~~ The full-value education mill rate must be applied according to section 15688, subsection 3-A, paragraph A to determine a municipality's local cost share expectation. ~~Full-value education mill rates must be derived according to the following schedule.~~

- (1) For the 2005 property tax year, the full-value education mill rate is the amount necessary to result in a 47.4% statewide total local share in fiscal year 2005-06.
- (2) For the 2006 property tax year, the full-value education mill rate is the amount necessary to result in a 46.14% statewide total local share in fiscal year 2006-07.
- (3) For the 2007 property tax year, the full-value education mill rate is the amount necessary to result in a 46.49% statewide total local share in fiscal year 2007-08.
- (4) For the 2008 property tax year, the full-value education mill rate is the amount necessary to result in a 47.48% statewide total local share in fiscal year 2008-09.
- (4-A) For the 2009 property tax year, the full-value education mill rate is the amount necessary to result in a 51.07% statewide total local share in fiscal year 2009-10.

(4-B) For the 2010 property tax year, the full-value education mill rate is the amount necessary to result in a 54.16% statewide total local share in fiscal year 2010-11.

(4-C) For the 2011 property tax year, the full-value education mill rate is the amount necessary to result in a 53.98% statewide total local share in fiscal year 2011-12.

(5) For the 2012 property tax year, the full-value education mill rate is the amount necessary to result in a 54.13% statewide total local share in fiscal year 2012-13.

(6) For the 2013 property tax year, the full-value education mill rate is the amount necessary to result in a 52.71% statewide total local share in fiscal year 2013-14.

(7) For the 2014 property tax year, the full-value education mill rate is the amount necessary to result in a 53.20% statewide total local share in fiscal year 2014-15.

(8) For the 2015 property tax year, the full-value education mill rate is the amount necessary to result in a 52.46% statewide total local share in fiscal year 2015-16.

(9) For the 2016 property tax year, the full-value education mill rate is the amount necessary to result in a 51.86% statewide total local share in fiscal year 2016-17.

(10) For the 2017 property tax year, the full-value education mill rate is the amount necessary to result in a 50.86% statewide total local share in fiscal year 2017-18.

(11) For the 2018 property tax year, the full-value education mill rate is the amount necessary to result in a ~~50.50%~~50.42% statewide total local share in fiscal year 2018-19.

(12) For the 2019 property tax year ~~and subsequent tax years~~, the full-value education mill rate is the amount necessary to result in a ~~45%~~49.22% statewide total local share in fiscal year 2019-20 ~~and after~~.

(13) For the 2020 property tax year and subsequent tax years, the full-value education mill rate is the amount necessary to result in a 45% statewide total local share in fiscal year 2020-21 and after.

**Sec. C-4. Mill expectation.** The mill expectation pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A for fiscal year 2019-20 is 8.28.

**Sec. C-5. Total cost of funding public education from kindergarten to grade 12.**

The total cost of funding public education from kindergarten to grade 12 for fiscal year 2019-20 is as follows:

	<b>2019-20 TOTAL</b>
<b>Total Operating Allocation</b>	
Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683	\$1,470,593,063
Total adjustments to state subsidy pursuant to Title 20-A, section 15689 included in subsidizable costs and total other subsidizable costs pursuant to Title 20-A, section 15681-A	\$527,455,487
<b>Total Operating Allocation and Subsidizable Costs</b>	
Total operating allocation pursuant to Title 20-A, section 15683 and total other subsidizable costs pursuant to Title 20-A, section 15681-A	\$1,998,048,550
<b>Total Debt Service Allocation</b>	
Total debt service allocation pursuant to Title 20-A, section 15683-A	\$103,301,489
<b>Total Adjustments and Targeted Education Funds</b>	
Adjustments pursuant to Title 20-A, section 15689	
Audit adjustments pursuant to Title 20-A, section 15689, subsection 4	\$250,000
Educating students in long-term drug treatment center adjustments pursuant to Title 20-A, section 15689, subsection 5	\$420,065
Regionalization, consolidation and efficiency assistance adjustments pursuant to Title 20-A, section 15689, subsection 9	\$5,160,020
Bus refurbishing program adjustments pursuant to Title 20-A, section 15689, subsection 13	\$0
MaineCare seed payments adjustments pursuant to Title 20-A, section 15689, subsection 14	\$1,210,887
Special education budgetary hardship adjustment pursuant to Title 20-A, section 15689, subsection 15	\$1,000,000
Total adjustments to the state share of the total allocation pursuant to Title 20-A, section 15689	\$8,040,972
Targeted education funds pursuant to Title 20-A, section 15689-A	
Special education costs for state agency clients and state wards pursuant to Title 20-A, section 15689-A, subsection 1	\$33,737,998
Essential programs and services components contract pursuant to Title 20-A, section 15689-A, subsection 3	\$300,000
Education research institute contract pursuant to Title 20-A, section 15689-A, subsection 6	\$250,000
Emergency bus loan pursuant to Title 20-A, section 15689-A, subsection 9	\$0
Data management and support services for essential programs and services pursuant to Title 20-A, section 15689-A, subsection 10	\$7,974,245
Postsecondary course payments pursuant to Title 20-A, section 15689-A, subsection 11	\$4,000,000
National board certification salary supplement pursuant to Title 20-A, section 15689-A, subsection 12	\$307,551
Learning through technology program pursuant to Title 20-A, section 15689-A, subsection 12-A	\$12,114,960
Jobs for Maine's Graduates including college pursuant to Title 20-A, section 15689-A, subsection 13	\$3,545,379
Maine School of Science and Mathematics pursuant to Title 20-A, section 15689-A, subsection 14	\$3,615,347

Maine Educational Center for the Deaf and Hard of Hearing pursuant to Title 20-A, section 15689-A, subsection 15	\$8,219,215
Transportation administration pursuant to Title 20-A, section 15689-A, subsection 16	\$410,111
Special education for juvenile offenders pursuant to Title 20-A, section 15689-A, subsection 17	\$385,779
Comprehensive early college programs funding (bridge year program) pursuant to Title 20-A, section 15689-A, subsection 23	\$1,000,000
Community school pilots (3 pilot projects for 5 years) pursuant to Title 20-A, section 15689-A, subsection 25	\$50,000
Maine School for Marine Science, Technology, Transportation and Engineering pursuant to Title 20-A, section 15689-A, subsection 26	\$109,206
<b>Total targeted education funds pursuant to Title 20-A, section 15689-A</b>	<b>\$76,019,791</b>
Enhancing student performance and opportunity pursuant to Title 20-A, section 15672, subsection 1-D and section 15688-A	
Career and technical education costs pursuant to Title 20-A, section 15672, subsection 1-D	\$500,000
Career and technical education costs pursuant to Title 20-A, section 15688-A, subsection 1	\$54,199,616
College transitions programs through adult education college readiness programs pursuant to Title 20-A, section 15688-A, subsection 2	\$450,000
National industry standards for career and technical education pursuant to Title 20-A, section 15688-A, subsection 6	\$2,000,000
<b>Total enhancing student performance and opportunity pursuant to Title 20-A, section 15672, subsection 1-D and section 15688-A</b>	<b>\$57,149,616</b>
<b>Total Cost of Funding Public Education from Kindergarten to Grade 12</b>	
Total cost of funding public education from kindergarten to grade 12 for fiscal year 2019-20 pursuant to Title 20-A, chapter 606-B, not including normal retirement costs	\$2,242,560,418
Total normal cost of teacher retirement	\$49,342,711
Total cost of funding public education from kindergarten to grade 12 for fiscal year 2019-20 pursuant to Title 20-A, chapter 606-B, including normal retirement costs	\$2,291,903,129
Total cost of state contribution to the unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teachers' health insurance and retired teachers' life insurance for fiscal year 2019-20 pursuant to Title 5, chapters 421 and 423, excluding the normal cost of teacher retirement	\$224,008,451
Total cost of funding public education from kindergarten to grade 12 plus state contributions to the unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teachers' health insurance and retired teachers' life insurance for fiscal year 2019-20 pursuant to Title 5, chapters 421 and 423	\$2,515,911,580

**Sec. C-6. Local and state contributions to total cost of funding public education from kindergarten to grade 12.** The local contribution and the state contribution appropriation provided for general purpose aid for local schools for the fiscal year beginning July 1, 2019 and ending June 30, 2020 is calculated as follows:

**2019-20**

**2019-20**

	LOCAL	STATE
<b>Local and State Contributions to the Total Cost of Funding Public Education from Kindergarten to Grade 12</b>		
Local and state contributions to the total cost of funding public education from kindergarten to grade 12 pursuant to the Maine Revised Statutes, Title 20-A, section 15683, subject to statewide distributions required by law	\$1,128,145,201	\$1,163,757,928
Total cost of state contribution to the unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teachers' health insurance and retired teachers' life insurance for fiscal years 2019-20 pursuant to Title 5, chapters 421 and 423, excluding the normal cost of teacher retirement		\$224,008,451
State contribution to the total cost of funding public education from kindergarten to grade 12 plus state contribution to the unfunded actuarial liabilities of the Maine Public Employees Retirement System that are attributable to teachers, retired teachers' health insurance and retired teachers' life insurance pursuant to Title 5, chapters 421 and 423		\$1,387,766,379

**Sec. C-7. Authorization of payments.** If the State's continued obligation for any individual component contained in those sections of this Part that set the total cost of funding public education from kindergarten to grade 12 and the local and state contributions for that purpose exceeds the level of funding provided for that component, any unexpended balances occurring in other programs may be applied to avoid proration of payments for any individual component. Any unexpended balances from this Part may not lapse but must be carried forward for the same purpose.

**Sec. C-8. Limit of State's obligation.** Those sections of this Part that set the total cost of funding public education from kindergarten to grade 12 and the local and state contributions for that purpose may not be construed to require the State to provide payments that exceed the appropriation of funds for general purpose aid for local schools for the fiscal year beginning July 1, 2019 and ending June 30, 2020.

## PART D

**Sec. D-1. 2 MRSA §6, sub-§3,** as amended by PL 2013, c. 405, Pt. A, §1, is further amended to read:

**3. Range 89.** The salaries of the following state officials and employees are within salary range 89:

Director, Bureau of General Services;

Director, Bureau of Alcoholic Beverages and Lottery Operations;

State Budget Officer;

State Controller;

Director, Bureau of Forestry;

Director, Governor's Office of Policy Innovation and Managementthe Future;

Director, Energy Resources Office;

Director of Human Resources;

Director, Bureau of Parks and Lands;

Director of the Governor's Office of Communications;

Director, Bureau of Agriculture, Food and Rural Resources; and

Director, Bureau of Resource Information and Land Use Planning.

**Sec. D-2. 5 MRSA §1531, sub-§2**, as amended by PL 2015, c. 267, Pt. L, §3, is further amended to read:

**2. Average personal income growth.** "Average personal income growth" means the average for the prior 10 calendar years, ending with the most recent calendar year for which data is available, of the percent change in personal income in this State, as estimated by the United States Department of Commerce, Bureau of Economic Analysis. The average personal income growth is determined by October 1st, annually, by the Governor's Office of Policy Innovation and Managementthe Future.

**Sec. D-3. 5 MRSA §1591, sub-§5**, as enacted by PL 2011, c. 655, Pt. Q, §1, is amended to read:

**5. Executive Department.** The Executive Department shall carry forward any General Fund balances remaining in the Administration - Executive - Governor's Office program, the Blaine House program, the Governor's Office of Communications program, the Office of Policy Innovation and Managementthe Future program and the Governor's Energy Office program at the end of any fiscal year for use in the next fiscal year.

**Sec. D-4. 5 MRSA §1710-D**, as amended by PL 2011, c. 655, Pt. DD, §3 and affected by §24, is further amended to read:

### **§ 1710-D.Staffing**

The commission may receive staff support from the Governor's Office of Policy Innovation and Managementthe Future.

**Sec. D-5. 5 MRSA §1710-I**, as amended by PL 2011, c. 655, Pt. DD, §4 and affected by §24, is further amended to read:

### **§ 1710-I.Staffing**

The committee may receive staff assistance from the Bureau of the Budget, the Governor's Office of Policy Innovation and Managementthe Future, the Bureau of Revenue Services and, at the discretion of the Legislature, the Office of Fiscal and Program Review. The committee may also utilize other professionals having revenue forecasting, economic and fiscal expertise.

**Sec. D-6. 5 MRSA §3101**, as enacted by PL 2011, c. 655, Pt. DD, §5 and affected by §24, is amended to read:

### **§ 3101. Definitions**

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

**1. Director.** "Director" means the Director of the Governor's Office of Policy Innovation and Managementthe Future established by section 3102.

**2. Office.** "Office" means the Governor's Office of Policy Innovation and Managementthe Future established by section 3102.

**Sec. D-7. 5 MRSA §3102**, as amended by PL 2017, c. 284, Pt. GG, §4, is further amended to read:

### **§ 3102. Office established; purpose**

The Governor's Office of Policy Innovation and Managementthe Future is established in the Executive Department to facilitate achievement of long-term state goals and objectives and identification and implementation of opportunities to improve the efficiency and effectiveness of the performance of the functions of and delivery of services by State Government.

**Sec. D-8. 5 MRSA §3103**, as enacted by PL 2011, c. 655, Pt. DD, §5 and affected by §24, is amended to read:

### **§ 3103. Director**

The Director of the Governor's Office of Policy Innovation and Managementthe Future is appointed by the Governor and serves at the pleasure of the Governor.

**Sec. D-9. 5 MRSA §13056, sub-§3**, as amended by PL 2011, c. 655, Pt. DD, §6 and affected by §24, is further amended to read:

**3. Conduct planning and research.** Conduct planning, research and analysis for department needs, but not macroeconomic forecasting, which is the responsibility of the Governor's Office of Policy Innovation and Managementthe Future. The department shall gather, maintain and have access to all economic and other information necessary to the performance of its duties;

**Sec. D-10. 5 MRSA §15302, sub-§3, ¶C**, as amended by PL 2011, c. 655, Pt. EE, §11 and affected by §30, is further amended to read:

C. The Director of the Governor's Office of Policy Innovation and Management~~the Future~~ or the director's designee is an ex officio nonvoting director.

**Sec. D-11. 10 MRSA §363, sub-§2-A**, as amended by PL 2011, c. 655, Pt. DD, §8 and affected by §24, is further amended to read:

**2-A. Recommendation of Governor and issuers.** At any time action of the Legislature under subsection 1-A is necessary or desirable, the Governor shall recommend to the appropriate committee of the Legislature a proposed allocation or reallocation of all or part of the state ceiling. To assist the Governor in making a recommendation of proposed allocations of the state ceiling on private activity bonds, the group of 7 representatives described in subsection 1-A shall make a recommendation regarding allocation or reallocation of the state ceiling. In order to assist the group in making its recommendation and to assist the Governor and the Legislature, the Department of Administrative and Financial Services, in consultation with the Governor's Office of Policy Innovation and Management~~the Future~~, shall prepare an annual analysis of the State's economic outlook, prevailing interest rate forecasts related to tax-exempt financing by the issuers specifically identified in subsections 4 to 8, the availability to those issuers of alternative financing from sources that do not require an allocation of the state ceiling and the relationship of these factors and various public policy considerations to the allocation or reallocation of the state ceiling. In recommending any allocation or reallocation of the state ceiling to the Legislature, the Governor shall consider the requests and recommendations of those issuers of bonds within the State designated in this section, the recommendations of the group of representatives described in subsection 1-A and the annual analysis of the Department of Administrative and Financial Services.

**Sec. D-12. 12 MRSA §8876, sub-§2**, as amended by PL 2011, c. 655, Pt. DD, §9 and affected by §24, is further amended to read:

**2. Future demand.** Project future demand for forest resources based on a common economic forecast developed by the Governor's Office of Policy Innovation and Management~~the Future~~ and on other appropriate economic projections;

**Sec. D-13. 26 MRSA §3, sub-§3, ¶B**, as enacted by PL 2015, c. 250, Pt. C, §2, is amended to read:

B. Information and records pertaining to the workforce, employment patterns, wage rates, poverty and low-income patterns, economically distressed communities and regions and other similar information and data to the Department of Economic and Community Development and to the Governor's Office of Policy Innovation and Management~~the Future~~ for the purposes of analysis and evaluation, measuring and monitoring poverty and economic and social conditions throughout the State, and promoting economic development.

**Sec. D-14. 30-A MRSA §5903, sub-§6-A**, as amended by PL 2011, c. 655, Pt. DD, §13 and affected by §24, is further amended to read:

**6-A. Median household income.** "Median household income" means the income computed based on the most current census information available, as provided by the Governor's Office of Policy Innovation and Management~~the Future~~.

**Sec. D-15. 35-A MRSA §3454, first ¶**, as repealed and replaced by PL 2013, c. 424, Pt. A, §21, is amended to read:

In making findings pursuant to Title 38, section 484, subsection 3, the primary siting authority shall presume that an expedited wind energy development provides energy and emissions-related benefits described in section 3402 and shall make additional findings regarding other tangible benefits provided by the development. The Department of Labor, the Governor's Office of Policy Innovation and Managementthe Future, the Governor's Energy Office and the Public Utilities Commission shall provide review comments if requested by the primary siting authority.

**Sec. D-16. 35-A MRSA §3454, sub-§5**, as amended by PL 2011, c. 655, Pt. DD, §15 and affected by §24, is further amended to read:

**5. Promoting economic development and resource conservation; assistance to host communities.** To the extent practicable within existing resources, the Department of Economic and Community Development, the Governor's Energy Office and the Governor's Office of Policy Innovation and Managementthe Future shall provide, upon the request of a host community, assistance for the purpose of helping the host community maximize the economic development and resource conservation benefits from tax payments and payments made pursuant to a community benefit agreement or a community benefits package in connection with expedited wind energy developments. As part of this assistance, the department and the Department of Economic and Community Development shall support host communities in identifying additional funding and developing regional economic and natural resource conservation strategies.

**Sec. D-17. 38 MRSA §484, sub-§10**, as amended by PL 2011, c. 655, Pt. DD, §18 and affected by §24, is further amended to read:

**10. Special provisions; wind energy development or offshore wind power project.** In the case of a grid-scale wind energy development, or an offshore wind power project with an aggregate generating capacity of 3 megawatts or more, the proposed generating facilities, as defined in Title 35-A, section 3451, subsection 5:

- A. Will be designed and sited to avoid unreasonable adverse shadow flicker effects;
- B. Will be constructed with setbacks adequate to protect public safety. In making a finding pursuant to this paragraph, the department shall consider the recommendation of a professional, licensed civil engineer as well as any applicable setback recommended by a manufacturer of the generating facilities; and
- C. Will provide significant tangible benefits as determined pursuant to Title 35-A, section 3454, if the development is an expedited wind energy development.

The Department of Labor, the Governor's Office of Policy Innovation and Managementthe Future, the Governor's Energy Office and the Public Utilities Commission shall provide review comments if requested by the primary siting authority.

For purposes of this subsection, "grid-scale wind energy development," "primary siting authority," "significant tangible benefits" and "expedited wind energy development" have the same meanings as in Title 35-A, section 3451.

**Sec. D-18. Maine Revised Statutes amended; revision clause.** Wherever in the Maine Revised Statutes the words "Governor's Office of Policy and Management" appear or reference is made to that entity or those words, those words are amended to read or mean, as appropriate, "Governor's Office of Policy Innovation and the Future" and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

**Sec. D-19. Rename Office of Policy and Management program.** Notwithstanding any other provision of law, the Office of Policy and Management program within the Executive Department is renamed the Office of Policy Innovation and the Future program.

## PART E

**Sec. E-1. 4 MRSA §1610-L** is enacted to read:

### **§ 1610-L. Additional securities**

Notwithstanding any limitation on the amount of securities that may be issued pursuant to section 1606, subsection 2, the authority may issue additional securities in an amount not to exceed \$55,000,000 outstanding at any one time for capital repairs and improvements to state-owned facilities and hazardous waste cleanup on state-owned properties.

**Sec. E-2. Maine Governmental Facilities Authority; issuance of securities.** Pursuant to the Maine Revised Statutes, Title 4, section 1606, subsection 2 and section 1610-L, and notwithstanding the limitation contained in Title 4, section 1606, subsection 2 regarding the amount of securities that may be issued, the Maine Governmental Facilities Authority is authorized to issue securities in its own name in an amount up to \$55,000,000. Proceeds must be used for the purpose of paying the costs associated with capital repairs and improvements to and construction of state-owned facilities and hazardous waste cleanup on state-owned properties as designated by the Commissioner of Administrative and Financial Services.

## PART F

**Sec. F-1. 5 MRSA §1710-E**, as amended by PL 2011, c. 655, Pt. I, §6 and affected by §11, is further amended to read:

### **§ 1710-E. Revenue Forecasting Committee; established; membership**

There is established the Revenue Forecasting Committee, referred to in this chapter as the "committee," for the purpose of providing the Governor, the Legislature and the State Budget Officer with analyses, findings and recommendations relating to the projection of revenues for the General Fund and the Highway Fund based on economic assumptions recommended by the Consensus Economic Forecasting Commission. The committee includes the State Budget Officer, the Associate Commissioner

for Tax Policy, the State Economist, an economist on the faculty of the University of Maine System selected by the chancellor, the Director of the Office of Fiscal and Program Review and another member of the Legislature's nonpartisan staff familiar with revenue estimating issues appointed by the Legislative Council. ~~One of the 6 members must be selected by a majority vote of the committee members to serve as the chair of the committee.~~Beginning in calendar year 2019, the chair of the committee must be designated by a majority vote of the 6 members, from among the Associate Commissioner for Tax Policy, the Director of the Office of Fiscal and Program Review, the State Economist, an economist on the faculty of the University of Maine System selected by the chancellor and another member of the Legislature's nonpartisan staff familiar with revenue estimating issues appointed by the Legislative Council. The chair must be designated on a rotating basis and serves a 2-year term.

## PART G

**Sec. G-1. 25 MRSA §1542-A, sub-§1, ¶J**, as amended by PL 2015, c. 300, Pt. B, §2, is further amended to read:

J. Who has applied for employment with the Department of Administrative and Financial Services; ~~Bureau of Revenue Services~~ is an affected person, as defined in Title 36, section 194-D, subsection 1, paragraph A, and whose fingerprints have been required by the State Tax Assessor pursuant to Title 36, section ~~194-B~~194-D;

**Sec. G-2. 25 MRSA §1542-A, sub-§1, ¶K**, as amended by PL 2017, c. 204, §3 and c. 253, §1 and c. 258, Pt. B, §1, is repealed.

**Sec. G-3. 25 MRSA §1542-A, sub-§1, ¶L**, as amended by PL 2017, c. 457, §10, is repealed.

**Sec. G-4. 25 MRSA §1542-A, sub-§1, ¶P**, as enacted by PL 2017, c. 452, §25, is reallocated to 25 MRSA §1542-A, sub-§1, ¶S.

S. Who is required to have a criminal history record check under Title 22, section 2425-A, subsection 3-A.

**Sec. G-5. 25 MRSA §1542-A, sub-§1, ¶¶Q and R**, as enacted by PL 2017, c. 457, §13, are amended to read:

Q. Who is an applicant for licensure with the State Board of Nursing as required under Title 32, section 2111, subsection 1; or

R. Who is required to have a criminal background check under Title 22, section 8302-A or 8302-B; or

**Sec. G-6. 25 MRSA §1542-A, sub-§3, ¶J**, as enacted by PL 2013, c. 546, §4, is amended to read:

J. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph J, at the request of that person and upon payment of the expenses by the Department of Administrative and Financial Services, Bureau of Revenue Services as specified under Title 36, section ~~194-B~~194-D, subsection 23.

**Sec. G-7. 25 MRSA §1542-A, sub-§3, ¶K**, as enacted by PL 2015, c. 300, Pt. B, §4, is repealed.

**Sec. G-8. 25 MRSA §1542-A, sub-§3, ¶O**, as enacted by PL 2017, c. 452, §26, is repealed.

**Sec. G-9. 25 MRSA §1542-A, sub-§3, ¶R** is enacted to read:

R. The State Police shall take or cause to be taken the fingerprints of the person named in subsection 1, paragraph S at the request of that person or the Department of Administrative and Financial Services under Title 22, section 2425-A, subsection 3-A.

**Sec. G-10. 25 MRSA §1542-A, sub-§4**, as amended by PL 2017, c. 452, §27 and c. 457, §16, is repealed and the following enacted in its place:

**4. Duty to submit to State Bureau of Identification.** It is the duty of the law enforcement agency taking the fingerprints as required by subsection 3, paragraphs A, B and G to transmit immediately to the State Bureau of Identification the criminal fingerprint record. Fingerprints taken pursuant to subsection 1, paragraph C, D, E or F or pursuant to subsection 5 may not be submitted to the State Bureau of Identification unless an express request is made by the commanding officer of the State Bureau of Identification. Fingerprints taken pursuant to subsection 1, paragraph G must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Education. The bureau may not use the fingerprints for any purpose other than that provided for under Title 20-A, section 6103. The bureau shall retain the fingerprints, except as provided under Title 20-A, section 6103, subsection 9. Fingerprints taken pursuant to subsection 1, paragraph I and subsection 3, paragraph I must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the court and the Department of Public Safety, Gambling Control Board, respectively. Fingerprints taken pursuant to subsection 1, paragraph J or S must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Administrative and Financial Services. Fingerprints taken pursuant to subsection 1, paragraph P must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Board of Osteopathic Licensure, established in Title 32, chapter 36. Fingerprints taken pursuant to subsection 1, paragraph N must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Board of Licensure in Medicine, established in Title 32, chapter 48. Fingerprints taken pursuant to subsection 1, paragraph Q must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the State Board of Nursing, established in Title 32, chapter 31. Fingerprints taken pursuant to subsection 1, paragraph O must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks under Title 28-B, section

204. Fingerprints taken pursuant to subsection 1, paragraph R must be transmitted immediately to the State Bureau of Identification to enable the bureau to conduct state and national criminal history record checks for the Department of Health and Human Services.

**Sec. G-11. 36 MRSA §194-B**, as amended by PL 2015, c. 300, Pt. B, §§6 to 8, is repealed.

**Sec. G-12. 36 MRSA §194-C**, as enacted by PL 2015, c. 300, Pt. B, §9 and affected by §10, is repealed.

**Sec. G-13. 36 MRSA §194-D** is enacted to read:

**§ 194-D. Background investigations**

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

A. "Affected person" means a person who is:

(1) An applicant for employment with the bureau;

(2) A contractor for the bureau, including the contractor's employees, subcontractors and subcontractors' employees, who provides or is assigned to provide services to the bureau under an identified contract. For the purposes of this subparagraph, "identified contract" means a contract that the assessor determines involves access or the substantial possibility of access to the bureau's information technology systems or to confidential tax information;

(3) A current employee of the bureau; or

(4) An employee or contractor, including the contractor's respective employees, subcontractors and subcontractors' employees, of another state agency, if the assessor determines the employee's or contractor's duties involve access or the substantial possibility of access to federal tax information obtained from the bureau.

B. "Confidential tax information" means any information the inspection or disclosure of which is limited or prohibited by section 191, including federal tax information.

C. "Federal tax information" means a return and return information as defined in the Code, Section 6103(b) that is received directly from the United States Internal Revenue Service or obtained through a United States Internal Revenue Service-authorized secondary source and that is subject to the confidentiality protections and safeguarding requirements of the United States Internal Revenue Code and corresponding federal regulations and guidance. "Federal return information" does not include information in the possession of the State that is obtained from sources wholly independent from the United States Internal Revenue Service.

**2. Background investigation requirements.** The assessor shall perform background investigations for affected persons in accordance with this subsection.

A. As part of the process of evaluating an affected person for employment with the bureau, a background investigation must be conducted before an offer of employment is extended.

B. A background investigation for an affected person assigned to provide services to the bureau under an identified contract must be conducted before that affected person begins providing services to the bureau, and at least once every 10 years, as long as the affected person continues providing services to the bureau.

C. As part of the process of evaluating an affected person for continued employment with the bureau, a background investigation must be conducted at least once every 10 years. If an affected person has not been subject to a background investigation within 10 years prior to the effective date of this section, a background investigation must be conducted within one year of the effective date of this section.

D. A background investigation for an employee or contractor of another state agency must be conducted before that affected person is provided access, or the substantial possibility of access, to federal tax information obtained from the bureau, and at least once every 10 years, as long as the affected person continues to have such access. However, if the assessor determines that the affected person has been subject to a background investigation that satisfies the background investigation standards established by the United States Internal Revenue Service regarding access to federal tax information within the past 10 years, no further investigation is required under this subsection for the 10-year period commencing at the time of the background investigation.

The background investigation must include fingerprinting and obtaining national criminal history record information from the Federal Bureau of Investigation and must satisfy the background investigation standards established by the United States Internal Revenue Service regarding access to federal tax information.

**3. Fingerprinting.** An affected person must consent to having fingerprints taken for use in background investigations in accordance with this section. The State Police shall take or cause to be taken the affected person's fingerprints and shall forward the fingerprints to the Department of Public Safety, Bureau of State Police, State Bureau of Identification so that the State Bureau of Identification can conduct state and national criminal history record checks for the bureau. The State Police may charge the bureau for the expenses incurred in processing state and national criminal history record checks. The full fee charged under this subsection must be deposited in a dedicated revenue account for the State Bureau of Identification with the purpose of paying costs associated with the maintenance and replacement of the criminal history record systems.

**4. Confidentiality.** All information obtained by the assessor pursuant to this section is confidential and not a public record as defined in Title 1, section 402, subsection 3. The information must only be used for making decisions regarding the suitability of an affected person for new or continued employment with the bureau, to provide services to the bureau under an identified contract or to access federal tax information obtained from the bureau.

**5. Affected person's access to criminal history record information.** The bureau shall provide an affected person with access to information obtained pursuant to this section, if requested, by providing a paper copy of the criminal history record information directly to the affected person, but only after the bureau confirms that the affected person is the subject of the record. In addition, the bureau shall publish guidance on requesting such information from the Federal Bureau of Investigation.

**6. Disqualifying offenses; refusal to consent.** The assessor shall review the information obtained under this section and determine whether an affected person has a disqualifying offense that would prohibit authorizing that individual from accessing confidential tax information or federal tax information. If an affected person refuses to consent to the background investigation requirements under this section, that affected person is considered to have a disqualifying offense. If the affected person has a disqualifying offense:

A. The bureau may not employ or utilize that affected person in a position for which access to confidential tax information is required;

B. If the affected person is an employee of the bureau or is assigned to provide services to the bureau under an identified contract and the assessor has authorized the affected person to access confidential tax information, the bureau shall terminate that affected person's access and may remove that affected person from any position that involves access, or the substantial possibility of access, to confidential tax information. If the affected person is an employee of the bureau, the bureau shall make a reasonable effort to retain that person as an employee in another position within the bureau that does not require access to confidential tax information; and

C. If the affected person is an employee or contractor of another state agency, the assessor shall notify the other agency and the agency shall terminate the affected person's access, or substantial possibility of access, to federal tax information and may remove that affected person from any position that involves such access. If the affected person is an employee of the agency, the agency shall make a reasonable effort to retain that person as an employee in another position that does not require access to federal tax information.

## PART H

**Sec. H-1. 30-A MRS §5681, sub-§5,** as amended by PL 2015, c. 267, Pt. K, §1, is further amended to read:

**5. Transfers to funds.** No later than the 10th day of each month, the State Controller shall transfer to the Local Government Fund 5% of the receipts during the previous month from the taxes imposed under Title 36, Parts 3 and 8, and Title 36, section 2552, subsection 1, paragraphs A to F and L,

and credited to the General Fund without any reduction, except that for fiscal years 2015-16, 2016-17, 2017-18 and 2018-19 the amount transferred is 2%, for fiscal year 2019-20 the amount transferred is 3% and for fiscal year 2020-21 the amount transferred is 3.75% of the receipts during the previous month from the taxes imposed under Title 36, Parts 3 and 8, and Title 36, section 2552, subsection 1, paragraphs A to F and L, and credited to the General Fund without any reduction, and except that the postage, state cost allocation program and programming costs of administering state-municipal revenue sharing may be paid by the Local Government Fund. A percentage share of the amounts transferred to the Local Government Fund each month must be transferred to the Disproportionate Tax Burden Fund and distributed pursuant to subsection 4-B as follows:

- C. For months beginning on or after July 1, 2009 but before July 1, 2010, 15%;
- D. For months beginning on or after July 1, 2010 but before July 1, 2011, 16%;
- E. For months beginning on or after July 1, 2011 but before July 1, 2012, 17%;
- F. For months beginning on or after July 1, 2012 but before July 1, 2013, 18%;
- G. For months beginning on or after July 1, 2013 but before July 1, 2014, 19%; and
- H. For months beginning on or after July 1, 2014, 20%.

**Sec. H-2. 36 MRSA §683, sub-§1-B**, as enacted by PL 2015, c. 267, Pt. J, §1, is amended to read:

**1-B. Additional exemption.** A homestead eligible for an exemption under subsection 1 is eligible for an additional exemption of \$5,000 of the just value of the homestead for property tax years beginning on April 1, 2016 ~~and of~~, \$10,000 of the just value of the homestead for property tax years beginning on ~~or after~~ April 1, 2017, April 1, 2018 and April 1, 2019 and \$15,000 of the just value of the homestead for property tax years beginning on or after April 1, 2020.

**Sec. H-3. 36 MRSA §683, sub-§§3 and 4**, as amended by PL 2017, c. 284, Pt. G, §1, are further amended to read:

**3. Effect on state valuation.** For property tax years beginning before April 1, 2018, 50% of the just value of all the homestead exemptions under this subchapter must be included in the annual determination of state valuation under sections 208 and 305. For property tax years beginning on ~~or after~~ April 1, 2018 and April 1, 2019, 62.5% of the just value of all the homestead exemptions under this subchapter must be included in the annual determination of state valuation under sections 208 and 305. For property tax years beginning on or after April 1, 2020, 70% of the just value of all the homestead exemptions under this subchapter must be included in the annual determination of state valuation under sections 208 and 305.

**4. Property tax rate.** For property tax years beginning before April 1, 2018, 50% of the just value of all the homestead exemptions under this subchapter must be included in the total municipal valuation used to determine the municipal tax rate. For property tax years beginning on ~~or after~~ April 1, 2018 and April 1, 2019, 62.5% of the just value of all the homestead exemptions under this subchapter

must be included in the total municipal valuation used to determine the municipal tax rate. For property tax years beginning on or after April 1, 2020, 70% of the just value of all the homestead exemptions under this subchapter must be included in the total municipal valuation used to determine the municipal tax rate. The municipal tax rate as finally determined may be applied to only the taxable portion of each homestead qualified for that tax year.

**Sec. H-4. 36 MRSA §685, sub-§2**, as amended by PL 2017, c. 284, Pt. G, §2, is further amended to read:

**2. Entitlement to reimbursement by the State; calculation.** A municipality that has approved homestead exemptions under this subchapter may recover from the State:

A. For property tax years beginning before April 1, 2018, 50% of the taxes lost by reason of the exemptions under section 683, subsections 1 and 1-B; and

B. For property tax years beginning on ~~or after~~ April 1, 2018 and April 1, 2019, 62.5% of the taxes lost by reason of the exemptions under section 683, subsections 1 and 1-B; and

C. For property tax years beginning on or after April 1, 2020, 70% of the taxes lost by reason of the exemptions under section 683, subsections 1 and 1-B.

The municipality must provide proof in a form satisfactory to the bureau. The bureau shall reimburse the Unorganized Territory Education and Services Fund in the same manner for taxes lost by reason of the exemptions.

**Sec. H-5. 36 MRSA §5219-KK, sub-§2-A**, as enacted by PL 2017, c. 474, Pt. B, §16, is amended to read:

**2-A. Credit in 2018 and 2019.** For tax years beginning on or after January 1, 2018 and before January 1, 2020, a resident individual is allowed a credit against the taxes imposed under this Part equal to the amount by which the benefit base for the resident individual exceeds 6% of the resident individual's income. The credit may not exceed \$750 for resident individuals under 65 years of age as of the last day of the taxable year or \$1,200 for resident individuals 65 years of age and older as of the last day of the taxable year. In the case of married individuals filing a joint return, only one spouse is required to be 65 years of age or older to qualify for the \$1,200 credit limitation. Married taxpayers filing separate returns do not qualify for the credit under this section.

**Sec. H-6. 36 MRSA §5219-KK, sub-§2-B** is enacted to read:

**2-B. Credit in 2020 and after.** For tax years beginning on or after January 1, 2020, a resident individual is allowed a credit against the taxes imposed under this Part equal to the amount by which the benefit base for the resident individual exceeds 5% of the resident individual's income. The credit may not exceed \$750 for resident individuals under 65 years of age as of the last day of the taxable year or \$1,200 for resident individuals 65 years of age and older as of the last day of the taxable year. In the case of married individuals filing a joint return, only one spouse is required to be 65 years of age or older to qualify for the \$1,200 credit limitation. Married taxpayers filing separate returns do not qualify for the credit under this section.

**Sec. H-7. Restriction on use of certain state-municipal revenue-sharing amounts in fiscal year 2019-20.** Notwithstanding any provision of law or municipal charter to the contrary, if a municipality adopted a budget for its municipal fiscal year beginning in calendar year 2019 with the assumption that state-municipal revenue sharing would be based on the transfer to the Local Government Fund of a percentage of the revenue-sharing tax base under the Maine Revised Statutes, Title 30-A, section 5681, subsection 5 that is lower than the percentage of the revenue-sharing tax base required under this Part, the municipal officers for that municipality may use the difference between the amount of revenue sharing assumed in preparing the budget and the actual revenue sharing received pursuant to this Part without the requirement of approval by a town meeting or a municipal referendum if the funds are used for the repair or maintenance of roads or bridges within the municipality or the direct reduction of the property tax mill rate.

## PART I

**Sec. I-1. Salary adjustments for Maine Revenue Services employees.** The State Tax Assessor may implement a salary adjustment for the Department of Administrative and Financial Services, Maine Revenue Services employees in the job classifications of Tax Examiner, Tax Examiner II, Senior Tax Examiner and Tax Section Manager to be compensated at a rate determined in accordance with recruitment and retention adjustments authorized by the Maine Revised Statutes, Title 5, section 7065, subsection 2-D, the amount of which is in addition to the regular rate of pay.

**Sec. I-2. Costs to General Fund.** Costs to the General Fund due to section 1 of this Part must be provided from the Salary Plan program, General Fund account in the Department of Administrative and Financial Services in an amount up to \$850,000 for the fiscal year ending June 30, 2020 and in an amount up to \$850,000 for the fiscal year ending June 30, 2021 to implement the salary adjustment in section 1 of this Part.

## PART J

**Sec. J-1. Transfer from Other Special Revenue Funds account in the Department of Administrative and Financial Services.** Notwithstanding any provision of law to the contrary, no later than August 30, 2019, the State Controller shall transfer \$77,071.96 from the Department of Administrative and Financial Services, Elderly Tax Deferral Program, Other Special Revenue Funds account to the General Fund unappropriated surplus.

## PART K

**Sec. K-1. Tax expenditures.** In accordance with the Maine Revised Statutes, Title 5, section 1666 and to the extent not otherwise provided in this Act, funding is continued for each individual tax expenditure, as defined in Title 5, section 1666, reported in the budget document submitted to the Legislature by the Governor on February 8, 2019.

## PART L

**Sec. L-1. Voluntary employee incentive programs.** Notwithstanding the Maine Revised Statutes, Title 5, section 903, subsections 1 and 2, the Commissioner of Administrative and Financial Services shall offer for use prior to July 1, 2021 special voluntary employee incentive programs for state employees, including a 50% workweek, flexible position staffing and time off without pay. Employee participation in a voluntary employee incentive program is subject to the approval of the employee's appointing authority.

**Sec. L-2. Continuation of group health insurance.** Notwithstanding the Maine Revised Statutes, Title 5, section 285, subsection 7 and Title 5, section 903, the State shall continue to pay health and dental insurance benefits for a state employee who applies prior to July 1, 2021 and is approved to participate in a voluntary employee incentive program under section 1 of this Part based upon the scheduled workweek in effect prior to the employee's participation in the voluntary employee incentive program.

**Sec. L-3. Continuation of group life insurance.** Notwithstanding the Maine Revised Statutes, Title 5, sections 903 and 18056 and the rules of the Maine Public Employees Retirement System, the life, accidental death and dismemberment, supplemental and dependent insurance amounts for a state employee who applies prior to July 1, 2021 and is approved to participate in a voluntary employee incentive program under section 1 of this Part are based upon the scheduled hours of the employee prior to the employee's participation in the voluntary employee incentive program.

**Sec. L-4. General Fund savings.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585, the State Budget Officer shall transfer the General Fund savings resulting from the voluntary employee incentive programs under section 1 of this Part to the General Fund Compensation and Benefit Plan account in the Department of Administrative and Financial Services. The State Budget Officer shall submit to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs a report of the transferred amounts no later than January 15, 2021 for fiscal year 2019-20 and no later than January 15, 2022 for fiscal year 2020-21.

**Sec. L-5. Lapsed balances.** Notwithstanding any provision of law to the contrary, \$350,000 in fiscal year 2019-20 and \$350,000 in fiscal year 2020-21 of savings identified from the voluntary employee incentive programs in this Part lapse to the General Fund.

## PART M

**Sec. M-1. Carry balances; Debt Service - Government Facilities Authority.** Notwithstanding any provision of law to the contrary, the State Controller shall carry any remaining balances in the Debt Service - Government Facilities Authority program in the Department of Administrative and Financial Services in each year of the 2020-2021 biennium into the following fiscal year.

## PART N

**Sec. N-1. Attrition savings.** Notwithstanding any provision of law to the contrary, the attrition rate for the 2020-2021 biennium is 5% for judicial branch and executive branch departments and agencies only. The attrition rate for subsequent biennia is 1.6%.

**Sec. N-2. Calculation and transfer; attrition savings.** The State Budget Officer shall calculate the amount of the savings in section 3 of this Part that applies against each General Fund account for all executive branch departments and agencies statewide and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to appropriations in fiscal years 2019-20 and 2020-21. The State Budget Officer shall submit to the Joint Standing Committee on Appropriations and Financial Affairs a report of the transferred amounts no later than September 1, 2020.

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

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Executive Branch Departments and Independent Agencies - Statewide 0017**

Initiative: Reduces funding to reflect projected savings from an increase in the attrition rate from 1.6% to 5% for fiscal years 2019-20 and 2020-21.

<b>GENERAL FUND</b>	<b>2019-20</b>	<b>2020-21</b>
Personal Services	(\$12,850,861)	(\$13,304,915)
<b>GENERAL FUND TOTAL</b>	<b>(\$12,850,861)</b>	<b>(\$13,304,915)</b>

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

	<b>2019-20</b>	<b>2020-21</b>
	(\$12,850,861)	(\$13,304,915)
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(\$12,850,861)</b>	<b>(\$13,304,915)</b>

**JUDICIAL DEPARTMENT**

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

Initiative: Reduces funding to reflect projected savings from an increase in the attrition rate from 1.6% to 5% for fiscal years 2019-20 and 2020-21.

<b>GENERAL FUND</b>	<b>2019-20</b>	<b>2020-21</b>
Personal Services	(\$1,456,778)	(\$1,538,004)

GENERAL FUND TOTAL	(\$1,456,778)	(\$1,538,004)
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**JUDICIAL DEPARTMENT  
DEPARTMENT TOTALS  
GENERAL FUND**

<b>2019-20</b>	<b>2020-21</b>
<b>(\$1,456,778)</b>	<b>(\$1,538,004)</b>

**DEPARTMENT TOTAL - ALL FUNDS**

<b>(\$1,456,778)</b>	<b>(\$1,538,004)</b>
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**SECTION TOTALS  
GENERAL FUND**

<b>2019-20</b>	<b>2020-21</b>
<b>(\$14,307,639)</b>	<b>(\$14,842,919)</b>

**SECTION TOTAL - ALL FUNDS**

<b>(\$14,307,639)</b>	<b>(\$14,842,919)</b>
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**PART O**

**Sec. O-1. Department of Administrative and Financial Services; financial agreement authorization; system requirements.** Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, Office of Information Technology and the Bureau of Revenue Services may enter into financial agreements on or after July 1, 2019, with debt service commencing on or after July 1, 2021, for the acquisition, licensing, installation, implementation, maintenance and support of computer hardware, software and other systems to support the operations of the tax collection system of the Bureau of Revenue Services. The financial agreements may not collectively exceed 7 years in duration and \$46,400,000 in principal costs. The interest rate may not exceed 7%. Annual principal and interest costs must be paid from the Bureau of Revenue Services program accounts in the Department of Administrative and Financial Services. The software and other systems acquired to support the operations of Bureau of Revenue Services tax administration must be capable of collecting data that facilitates evaluation of tax expenditures conducted for the purpose of legislative oversight of those programs.

**PART P**

**Sec. P-1. Department of Administrative and Financial Services; lease-purchase authorization.** Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, in cooperation with the Treasurer of State, may enter into financing agreements in fiscal years 2019-20 and 2020-21 for the acquisition of motor vehicles for the Central Fleet Management Division. The financing agreements entered into in each fiscal year may not exceed \$5,500,000 in principal costs, and a financing agreement may not exceed 4 years in duration. The interest rate may not exceed 5%. The annual principal and interest costs must be paid from the appropriate line category allocations in the Central Fleet Management Division account.

## PART Q

### **Sec. Q-1. Department of Administrative and Financial Services and Department of Public Safety; lease-purchase authorization for motor vehicles for State Police.**

Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, in cooperation with the Treasurer of State, on behalf of the Department of Public Safety, may enter into financing agreements in fiscal years 2019-20 and 2020-21 for the acquisition of motor vehicles for the State Police. The financing agreements entered into in each fiscal year may not exceed \$2,300,000 in principal costs, and a financing agreement may not exceed 3 years in duration. The interest rate may not exceed 5%. The annual principal and interest costs must be paid from the appropriate line category appropriations and allocations in the State Police accounts.

## PART R

**Sec. R-1. Transfer; Reserve for General Fund Operating Capital to the General Fund unappropriated surplus.** Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$6,000,000 from the Reserve for General Fund Operating Capital to the General Fund unappropriated surplus no later than June 30, 2019.

## PART S

**Sec. S-1. Department of Administrative and Financial Services; financial agreement authorization.** Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services and the Department of Health and Human Services, Office of Child and Family Services may enter into financing arrangements on or after July 1, 2019, with debt service commencing on or after July 1, 2021, for the acquisition, licensing, installation and implementation of computer hardware, software and other systems to support the operations of a child welfare system. The financial agreement may not collectively exceed 7 years in duration and \$14,000,000 in principal costs. The interest rate may not exceed 7%. Annual principal and interest costs must be paid from the Office of Child and Family Services program accounts in the Department of Health and Human Services.

## PART T

**Sec. T-1. 7 MRSA §1820-A, sub-§4,** as enacted by PL 2005, c. 281, §2, is amended to read:

**4. Surcharge.** A person submitting a sample to the department for an official test for equine infectious anemia shall pay a surcharge of \$4 for each sample tested by the department. The commissioner shall collect the surcharge and deposit all money received under this subsection into the animal welfare auxiliary fund established under section 3906-B, subsection 16. All revenue collected pursuant to this

subsection must be used for investigating alleged cases of mistreatment or abuse of equines and enhancing enforcement of this Part and Title 17, chapter 42 as these laws pertain to equines and for costs associated with department laboratory services needed to control or eradicate diseases affecting equines.

**Sec. T-2. 7 MRSA §3906-B, sub-§16**, as amended by PL 2009, c. 548, §1, is further amended to read:

**16. Animal welfare auxiliary fund.** The commissioner may accept gifts, donations, bequests, endowments, grants and matching funds from any private or public source for the purposes of ensuring the humane and proper treatment of animals and enhancing the administration and enforcement of this Part and Title 17, chapter 42. The commissioner shall deposit all funds accepted for these purposes and all proceeds from sales authorized under subsection 17 into a separate, nonlapsing account known as the animal welfare auxiliary fund. All gifts, donations, bequests, endowments, grants, proceeds and matching funds received must be used for the benefit of and accomplishment of the objectives in this Part and Title 17, chapter 42 and any gift, donation, bequest, endowment, grant or matching funds accepted with a stipulated purpose may be used only for that purpose.

All money deposited in the animal welfare auxiliary fund in accordance with section 1820-A, subsection 4 must be used for investigating alleged cases of mistreatment or abuse of equines and enhancing enforcement of this Part and Title 17, chapter 42 as these laws pertain to equines and for costs associated with department laboratory services needed to control or eradicate diseases affecting equines.

## PART U

**Sec. U-1. 8 MRSA §299-A, sub-§1**, as enacted by PL 2017, c. 371, §5, is amended to read:

**1. Fund created.** The Harness Racing Promotional Fund, referred to in this section as "the fund," is established as a separate unit within the Harness Racing Commission program to be used solely for the marketing and promotion of harness racing in the State. The fund consists of any money received through the commission on wagers pursuant to section 286 and any contributions, grants or appropriations from private and public sources. The fund, to be accounted for within the commission, must be held separate and apart from all other money, ~~funds and accounts~~. Any balance remaining in the fund at the end of a fiscal year does not lapse but must be carried forward to the next fiscal year.

**Sec. U-2. Transfer balances.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Harness Racing Promotional Fund account, Other Special Revenue Funds to the Operating Account, Other Special Revenue Funds, within the Harness Racing Commission program in the Department of Agriculture, Conservation and Forestry.

## PART V

**Sec. .** This Part left blank intentionally.

## PART W

**Sec. .** This Part left blank intentionally.

## PART X

**Sec. .** This Part left blank intentionally.

## PART Y

**Sec. Y-1. 12 MRSA §1814-A, sub-§3**, as enacted by PL 2011, c. 278, §5, is amended to read:

**3. Proceeds from sale of an access easement.** Proceeds from the sale of a right of access by easement under this section must be deposited in the ~~Maine State Parks and Recreational Facilities Development~~General Operations Fund established under section 1825.

**Sec. Y-2. 12 MRSA §1825**, as amended by PL 2009, c. 27, §1; PL 2011, c. 657, Pt. W, §7; and PL 2013, c. 405, Pt. A, §24, is further amended to read:

### **§ 1825.Administer certain funds**

The bureau shall administer funds relating to state parks and historic sites, municipal recreation and recreation management on lands classified as state parks or historic sites pursuant to this chapter. These funds include but are not limited to the following:

**1. ~~Maine State Parks and Recreational Facilities Development Fund.~~** ~~The Maine State Parks and Recreational Facilities Development Fund is established within the bureau for the purpose of developing, maintaining and managing state parks and other recreational facilities on lands owned or leased by the bureau.~~

~~Income from legislative appropriation, gifts, grants, bequests and other sources approved by the Legislature may be deposited into this fund. Any interest earned on money in the fund must also be credited to the fund. The Maine State Parks and Recreational Facilities Development Fund is nonlapsing and all funds are subject to allocation by the Legislature.~~

**1-A. Parks General Operations Fund** . The Parks General Operations Fund is established within the bureau for the purpose of developing, maintaining and managing state parks and other recreational facilities on lands owned or leased by the bureau.

Income from legislative appropriation, gifts, grants, bequests, the Maine Environmental Trust Fund in accordance with section 10255, subsection 3 and any other sources approved by the Legislature may be deposited in this fund. Any interest earned on money in the fund must be credited to the fund. The Parks General Operations Fund is nonlapsing and all funds are subject to allocation by the Legislature.

**2. ~~Maine State Parks Fund.~~** ~~The Maine State Parks Fund is established within the bureau. The fund receives money from the Maine Environmental Trust Fund in accordance with section 10255, subsection 3. The bureau shall use money in the fund for major and minor capital improvements, maintenance, repairs and operations at state parks and historic sites.~~

~~The Maine State Parks Fund is nonlapsing and all funds are subject to allocation by the Legislature.~~

**3. Municipal Recreation Fund.** The bureau shall administer a state grant-in-aid fund known as the Municipal Recreation Fund. The bureau is responsible for administering all money made available to the fund. Grants-in-aid may be made by the bureau out of the fund as follows.

A. The bureau may make grants to assist municipalities and other political subdivisions in the capital improvement of public park and recreation facilities for projects the total cost of each one of which does not exceed \$5,000. Such a grant may not exceed 75% of the approved project cost. A municipality may not receive more than one grant under this paragraph in any fiscal year.

B. For those projects that are approved to receive federal financial assistance under the Federal Land and Water Conservation Fund Act of 1965, ~~(P.L. Public Law 88-578)~~, as amended, the bureau may make a supplemental grant not to exceed 40% of the approved project cost.

C. The bureau may make grants to assist municipalities and other political subdivisions in the development and implementation of recreation programs. Eligible costs for the program grants include, but are not limited to, employment of personnel, transportation and noncapital equipment or supplies. Any grant made under this paragraph in any single fiscal year may not exceed \$1,000 or 50% of the project cost, whichever is less.

Funds credited to the Municipal Recreation Fund are nonlapsing.

**4. Forest Recreation Resource Fund.** The bureau may construct and maintain public campsites to prevent forest fires by providing fire-safe sites and preventing a proliferation of private fires and to provide recreation opportunities on lands within its jurisdiction and elsewhere in the State's forests where there is inadequate provision of private, primitive campsites.

For the purpose of carrying out these activities, the bureau may accept voluntary services and other contributions pursuant to this chapter; enter into leases and other agreements; and, pursuant to Title 5, chapter 375, subchapter H2-A, establish rules and a schedule of fees for the use of these campsites. All such fees and other revenues derived from grants, contributions, contracts and transfers to carry out the purposes of this subsection must be deposited in a nonlapsing account, to be called the Forest Recreation Resource Fund, which is a separate unit within the Parks General Operations Fund to be used for the purposes of this subsection. All funds in this account are subject to allocation by the Legislature.

**5. State Parks Improvement Fund established; sale of merchandise.** The State Parks Improvement Fund, referred to in this section as "the fund," is established within the bureau. The fund is nonlapsing and is a separate unit within the Parks General Operations program. The bureau may sell

within parks or historic sites general merchandise that is distinctive to the parks or historic sites or useful to the enjoyment of the parks or historic sites. Items that may be sold include, but are not limited to, hats, coffee mugs, bumper stickers, t-shirts, tote bags and firewood. Merchandise sold by the bureau must be of good quality, appropriate for sale by the bureau and sold for a reasonable fee. The bureau also may rent items to be used for the enjoyment of the park or historic site, including, but not limited to, rowboats, canoes, kayaks and bicycles. To the extent the bureau needs to contract with vendors to obtain goods or services in order to develop, create or manufacture merchandise for sale or lease, the commissioner shall, to the maximum extent practicable, contract with vendors located in this State. Goods and services purchased by the bureau for sale or lease under this section must be procured in accordance with Title 5, chapter 155. All proceeds from the sale or lease of merchandise pursuant to this subsection must be deposited in the fund and used for the operation and maintenance of parks.

**Sec. Y-3. 12 MRSA §10255, sub-§1**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

**1. Fund established.** The Maine Environmental Trust Fund, referred to in this section as the "fund," is established as a nonlapsing fund administered by the commissioner for the purposes of improving state parks and historic sites by supporting the ~~Maine State Parks~~ General Operations Fund established in section 1825, subsection ~~21-A~~ and managing nongame wildlife by supporting the Maine Endangered and Nongame Wildlife Fund established in section 10253, subsection 1. Money deposited with the Treasurer of State to the credit of the fund may be invested as provided by law. Income from these investments must be credited to the fund.

**Sec. Y-4. 12 MRSA §10255, sub-§3, ¶A**, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

A. Sixty percent of the balance must be deposited in the ~~Maine State Parks~~ General Operations Fund established in section 1825, subsection ~~21-A~~; and

**Sec. Y-5. Transfer balances.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Maine State Parks and Recreational Facilities Development Fund program, Other Special Revenue Funds to the Parks General Operations Fund account, Other Special Revenue Funds in the Department of Agriculture, Conservation and Forestry.

**Sec. Y-6. Transfer balances.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Maine State Parks Fund program, Other Special Revenue Funds to the Parks General Operations Fund account, Other Special Revenue Funds in the Department of Agriculture, Conservation and Forestry.

**Sec. Y-7. Transfer balances.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any

remaining balance in the Forest Recreation Resource Fund program, Other Special Revenue Funds to the Parks General Operations Fund account, Other Special Revenue Funds in the Department of Agriculture, Conservation and Forestry.

**Sec. Y-8. Transfer balances.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the State Parks Improvement Fund account, Other Special Revenue Funds to the Parks General Operations Fund account, Other Special Revenue Funds in the Department of Agriculture, Conservation and Forestry.

## PART Z

**Sec. .** This Part left blank intentionally.

## PART AA

**Sec. AA-1. 12 MRSA §1890-B, first ¶,** as corrected by RR 2007, c. 2, §2, is amended to read:

The Treasurer of State shall establish a dedicated, nonlapsing ~~account~~unit called the Allagash Wilderness Waterway Permanent Endowment Fund as a separate unit within the Allagash Waterway account and shall manage the account as a state-held trust. Subject to the approval of the Governor, the commissioner may accept funds from any source and may accept gifts in trust to be credited to the Allagash Wilderness Waterway Permanent Endowment Fund, except that a gift may not be accepted with any encumbrances or stipulations as to the use of the gift. Interest earned on investments in the fund must be credited to the fund. With the advice of the Allagash Wilderness Waterway Advisory Council under section 1890-A, the director may expend money from the fund for purposes consistent with section 1871 and an approved waterway management plan.

**Sec. AA-2. Transfer balances.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Allagash Wilderness Waterway Permanent Endowment Fund account, Other Special Revenue Funds to the Allagash Waterway account, Other Special Revenue Funds within the Parks - General Operations program in the Department of Agriculture, Conservation and Forestry.

## PART BB

**Sec. .** This Part left blank intentionally.

## PART CC

**Sec. CC-1. Rename Geological Survey program.** Notwithstanding any provision of law to the contrary, the Geological Survey program within the Department of Agriculture, Conservation and Forestry is renamed the Geology and Resource Information program.

## **PART DD**

**Sec. DD-1. Transfer balances.** Notwithstanding any provision of law to the contrary, at the close of fiscal year 2018-19, the Department of Agriculture, Conservation and Forestry shall transfer, after the deduction of all allocations, financial commitments and other designated funds or any other transfer authorized by statute, any remaining balance in the Submerged Lands and Shore and Harbor accounts in the Land Management and Planning program, Other Special Revenue Funds to the Submerged Lands and Shore and Harbor accounts in the Submerged Lands and Island Registry program, Other Special Revenue Funds.

## **PART EE**

**Sec. EE-1. Transfer balances.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Boating Facilities Fund program, Other Special Revenue Funds to the Boating Facilities Fund account in the Off-road Recreational Vehicles Program, Other Special Revenue Funds in the Department of Agriculture, Conservation and Forestry.

## **PART FF**

**Sec. FF-1. Transfer balances.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Municipal Planning Assistance program, Federal Expenditures Fund to the Geological Survey program, Federal Expenditures Fund in the Department of Agriculture, Conservation and Forestry.

## **PART GG**

**Sec. GG-1. Transfer balances.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Coastal Island Registry account, Other Special Revenue Funds to the Submerged Lands Fund account, Other Special Revenue Funds within the Submerged Lands and Island Registry program in the Department of Agriculture, Conservation and Forestry.

## **PART HH**

**Sec. HH-1. Transfer balances.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Floodplain Management program, Federal Expenditures Fund to the Geological Survey program, Federal Expenditures Fund in the Department of Agriculture, Conservation and Forestry.

**Sec. HH-2. Transfer balances.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Floodplain Management program, Other Special Revenue Funds account to the Geological Survey program, Other Special Revenue Funds account in the Department of Agriculture, Conservation and Forestry.

## PART II

**Sec. II-1. Transfer balances.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Parks and Lands Disaster Assistance account, Federal Expenditures Fund to the Parks General Operations account, Federal Expenditures Fund within the Parks - General Operations program in the Department of Agriculture, Conservation and Forestry.

**Sec. II-2. Transfer balances.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Parks Acquisitions account, Other Special Revenue Funds to the Parks General Operations account, Other Special Revenue Funds within the Parks - General Operations program in the Department of Agriculture, Conservation and Forestry.

**Sec. II-3. Transfer balances.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Land for Maine's Future Access Improvement account, Other Special Revenue Funds to the Parks General Operations account, Other Special Revenue Funds within the Parks - General Operations program in the Department of Agriculture, Conservation and Forestry.

**Sec. II-4. Transfer balances.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Parks Outdoor Heritage Fund account, Other Special Revenue Funds to the Parks General Operations account, Other Special Revenue Funds within the Parks - General Operations program in the Department of Agriculture, Conservation and Forestry.

**Sec. II-5. Transfer balances.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Whitewater Rafting Parks and Recreation account, Other Special Revenue Funds to the Parks General Operations account, Other Special Revenue Funds within the Parks - General Operations program in the Department of Agriculture, Conservation and Forestry.

**Sec. II-6. Transfer balances.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Park Maintenance Miscellaneous Gift and Bequests account, Other Special Revenue Funds to the Parks General Operations account, Other Special Revenue Funds within the Parks - General Operations program in the Department of Agriculture, Conservation and Forestry.

## PART JJ

**Sec. JJ-1. Transfer balances.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Holbrook Island Sanctuary account, Other Special Revenue Funds to the Vaughan Woods State Park account, Other Special Revenue Funds within the Parks - General Operations program in the Department of Agriculture, Conservation and Forestry.

**Sec. JJ-2. Transfer balances.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Wolf Neck Woods State Park account, Other Special Revenue Funds to the Vaughan Woods State Park account, Other Special Revenue Funds within the Parks - General Operations program in the Department of Agriculture, Conservation and Forestry.

**Sec. JJ-3. Transfer balances.** Notwithstanding any provision of law to the contrary, at the end of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balance in the Mackworth account in the Submerged Lands and Coastal Registry program, Other Special Revenue Funds to the Vaughan Woods State Park account in the Parks - General Operations program, Other Special Revenue Funds in the Department of Agriculture, Conservation and Forestry.

## PART KK

**Sec. KK-1. Transfer of funds from unencumbered balance forward, Department of Agriculture, Conservation and Forestry, Division of Forest Protection.** Notwithstanding any provision of law to the contrary, the State Controller shall leave only \$500,000 of unencumbered balance forward remaining in the Personal Services line category in the Department of Agriculture, Conservation and Forestry, Division of Forest Protection, General Fund account at the close

of fiscal year 2018-19 and shall transfer all remaining money from unencumbered balance forward in the Personal Services line category above \$500,000 on or before August 1, 2019 to the Capital Expenditures line category in the Department of Agriculture, Conservation and Forestry, Division of Forest Protection, General Fund account to fund the overhaul of existing helicopters.

## PART LL

**Sec. LL-1. 22 MRSA §3023-A**, as amended by PL 2017, c. 475, Pt. A, §35, is further amended by adding at the end a new paragraph to read:

The Chief Medical Examiner may implement a training and education program to enhance the technical and oversight expertise of the Office of Chief Medical Examiner and Medicolegal Death Investigator I positions. Notwithstanding any provision of law to the contrary, employees in the Medicolegal Death Investigator I classification who participate in the training and education program and who demonstrate that they have achieved competencies prescribed by the Chief Medical Examiner may progress immediately to the senior position in this classification series.

## PART MM

**Sec. MM-1. Department of Corrections; transfer of funds for overtime expenses.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any provision of law to the contrary, the Department of Corrections, by financial order upon the recommendation of the State Budget Officer and approval of the Governor, may transfer Personal Services, All Other or Capital Expenditures funding between accounts within the same fund for the purposes of paying overtime expenses in fiscal years 2019-20 and 2020-21. These transfers are not considered adjustments to appropriations.

## PART NN

**Sec. NN-1. Transfers and adjustments to position count.** The Commissioner of Corrections shall review the current organizational structure of the Department of Corrections to improve organizational efficiency and cost-effectiveness and shall recommend transfers of positions and available balances. Notwithstanding any provision of law to the contrary, the State Budget Officer shall transfer the position counts and available balances by financial order, in order to achieve the purposes of this section, from July 1st to December 1st of each fiscal year of the 2020-2021 biennium. Position adjustments made after December 1st and before July 1st of each fiscal year may not be considered an adjustment to position count or appropriations. The transfer and adjustment authorized by this section must comply with the requirements of the Maine Revised Statutes, Title 5, section 1585. Any transfer or adjustment pursuant to this section that would result in a program or mission change or facility closure must be reported by the Bureau of the Budget to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters for review before the associated financial order is submitted to the Governor for approval; these transfers are considered adjustments to authorized position count, appropriations and allocations.

## PART OO

**Sec. .** This Part left blank intentionally.

## PART PP

**Sec. PP-1. 5 MRSA §13090-N** is enacted to read:

### **§ 13090-N. Maine Office of Outdoor Recreation**

The Maine Office of Outdoor Recreation is established within the Office of Tourism. The head of the Maine Office of Outdoor Recreation is the director, who is responsible for strengthening the State's outdoor recreation economy and coordinating the promotion of outdoor recreational activities in the State with state agencies and the private sector.

## PART QQ

**Sec. QQ-1. 35-A MRSA §9202, sub-§1**, as enacted by PL 2005, c. 665, §3, is amended to read:

**1. Advanced communications technology infrastructure.** "Advanced communications technology infrastructure" means any communications technology infrastructure or infrastructure improvement that expands the deployment of, or improves the quality of, broadband availability and wireless service coverageconnectivity.

**Sec. QQ-2. 35-A MRSA §9203, sub-§7** is enacted to read:

**7. Staff; central broadband planning board.** The Department of Economic and Community Development shall provide staff for the authority. That staff shall serve as the central broadband planning board for the State and shall support the authority in accordance with the provisions of this chapter.

**Sec. QQ-3. 35-A MRSA §9204-A, sub-§3**, as enacted by PL 2015, c. 284, §7, is amended to read:

**3. Support local and regional broadband planning.** The authority shall provide technical and planning support and approve financial assistance to communities in the State that include unserved and underserved areas to identify the need for broadband infrastructure and services and develop and implement plans to meet those needs.

**Sec. QQ-4. 35-A MRSA §9204-A, sub-§5**, as enacted by PL 2015, c. 284, §7, is amended to read:

**5. Facilitate state support of deployment of broadband infrastructure.** The authority shall review, recommend and facilitate changes in laws, rules, programs and policies of the State and its agencies to further deployment of broadband infrastructure to all unserved and underserved

areas of the State. The authority shall assist in identifying opportunities to use broadband infrastructure to achieve the state policies and goals as set out in section 9202-A and support coordination between communications providers and state and local governmental entities, ~~including coordination with the statewide emergency radio network on~~ initiatives where broadband infrastructure could be advanced.

**Sec. QQ-5. 35-A MRSA §9211-A, sub-§4, ¶B**, as enacted by PL 2015, c. 323, §1, is amended to read:

B. An implementation grant may be awarded only to an applicant that has demonstrated to the satisfaction of the authority that it has ~~participated in a planning grant process as described in a viable plan~~ identical or similar to one created in accordance with subsections 5, 6 and 7.

**Sec. QQ-6. 35-A MRSA §9211-A, sub-§7**, as enacted by PL 2015, c. 323, §1, is amended to read:

**7. Cash match for planning grants.** The cash match required from the applicant for a planning grant under subsection 5 may consist of municipal appropriations, private funds, funding from economic development entities and funding from nonprofit entities. ~~The cash match for planning grants may not consist of funds provided by a vendor or private business that proposes to build, operate or provide retail services using the gigabit fiber-optic broadband network.~~

## PART RR

**Sec. .** This Part left blank intentionally.

## PART SS

**Sec. SS-1. 5 MRSA §937, sub-§1, ¶F**, as amended by PL 2015, c. 267, Pt. NN, §1, is further amended to read:

F. Director, ~~Policy and Programs~~Legislative Affairs; and

**Sec. SS-2. 20-A MRSA §203, sub-§1, ¶F**, as amended by PL 2011, c. 655, Pt. D, §8, is further amended to read:

F. Director, ~~Policy and Programs~~Legislative Affairs;

## PART TT

**Sec. TT-1. 20-A MRSA §203, sub-§1, ¶M**, as amended by PL 2013, c. 368, Pt. II, §1, is further amended to read:

M. Director, Communications; ~~and~~

**Sec. TT-2. 20-A MRSA §203, sub-§1, ¶O**, as repealed and replaced by PL 2017, c. 284, Pt. QQQ, §1, is further amended to read:

O. Director of Special Projects; and

**Sec. TT-3. 20-A MRSA §203, sub-§1, ¶P** is enacted to read:

P. Chief of Staff and Operations.

## PART UU

**Sec. UU-1. 20-A MRSA §13406**, as enacted by PL 2005, c. 635, §6, is amended to read:

### **§ 13406. Minimum salaries for 2007 to 2019**

Each school administrative unit shall establish a minimum salary of \$30,000 for certified teachers for the school year starting after June 30, 2007 ~~and in each subsequent school year~~ and before July 1, 2020.

**Sec. UU-2. 20-A MRSA §13407** is enacted to read:

### **§ 13407. Minimum salaries beginning in 2020-2021 school year**

Each school administrative unit shall establish a minimum salary for certified teachers as follows:

**1. School year 2020-2021.** For the school year starting after June 30, 2020, the minimum salary is \$35,000;

**2. School year 2021-2022.** For the school year starting after June 30, 2021, the minimum salary is \$37,500; and

**3. School years beginning in or after 2022.** For the school year starting after June 30, 2022, and in each subsequent school year, the minimum salary is \$40,000.

A school administrative unit shall provide to the department annually on or before October 1st the number of teachers eligible for incremental salary increases as defined in section 15689, subsection 7-A, paragraph A.

**Sec. UU-3. 20-A MRSA §15689, sub-§7-A** is enacted to read:

**7-A. Adjustment for minimum teacher salary.** Beginning in fiscal year 2020-21, the commissioner shall, in accordance with this subsection, increase the state share of the total allocation to a qualifying school administrative unit by an amount necessary to achieve the minimum salary for certified teachers established in section 13407.

A. As used in this subsection, unless the context otherwise indicates, "qualifying school administrative unit" means a school administrative unit that the commissioner determines to have a locally established salary schedule with a minimum teacher salary of less than \$40,000 in school year 2019-2020. As used in this subsection, unless the context otherwise indicates, "incremental salary increases" means the incremental increases in the salaries of teachers employed by a qualifying school administrative unit in school year 2019-2020 necessary to meet the minimum salary requirements of section 13407 from fiscal year 2020-21 to fiscal year 2022-23.

B. The commissioner shall allocate the funds appropriated by the Legislature in accordance with the following.

(1) The amount of increased funds provided to qualifying school administrative units under this subsection must be the amount necessary to fund the incremental salary increases specified in this subsection.

(2) The number of teachers eligible for incremental salary increases in a qualifying school administrative unit for a fiscal year must be based on the information supplied to the department pursuant to section 13407 in that fiscal year.

(3) The increased funds provided under this subsection must be issued to qualifying school administrative units as an adjustment to the state school subsidy for distribution to the teachers. Qualifying school administrative units shall use the payments provided under this subsection to provide salary adjustments to those teachers eligible for incremental salary increases. The department shall collect the necessary data to allow the funds to be included in a qualifying school administrative unit's monthly subsidy payments beginning no later than February 1st of each fiscal year.

## **PART VV**

**Sec. VV-1. Lease-purchase authorization; Department of Education's learning technology program.** Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Education may enter into financing arrangements in fiscal years 2019-20 and 2020-21 for the acquisition of portable learning devices and support systems for students and educators to support the operations of the department's learning technology program. The financing agreements may not exceed 4 years in duration and \$50,000,000 in principal costs for the department's learning technology program. The interest rate may not exceed 8%, and the total interest costs may not exceed \$4,000,000. The annual principal and interest costs must be paid from the appropriate line category allocations in the Department of Education. The State is authorized to extend the provisions of the lease-purchase agreement on behalf of school administrative units as long as all costs of the extension are borne by the school administrative units.

## **PART WW**

**Sec. WW-1. 38 MRSA §351, 4th ¶**, as amended by PL 1987, c. 787, §5, is further amended to read:

~~Money in the fund may only be expended in accordance with allocations approved by the Legislature. These allocations shall be based on estimates of the actual costs necessary for the department to administer licensing and permitting programs. Allowable expenditures include Personal Services, All Other and~~

Capital Expenditures associated with prelicense or permit activities such as application reviews, public hearings and appeals, the actual license or permit processing activities and associated post-license or permit compliance activities required to assure continued licensee or permittee compliance and enforcement activities as a result of license or permit noncompliance.

**Sec. WW-2. 38 MRSA §351, last ¶**, as enacted by PL 1991, c. 9, Pt. E, §27, is amended to read:

The commissioner may, subject to the approval of the Governor, apply for, accept on behalf of the State and deposit to the fund; funds, grants, bequests, gifts or contributions from any person, corporation or governmental entity. The funds must be allocated by the Legislature and expended consistent with the purposes of the department as established in section 341-A.

## PART XX

**Sec. XX-1. 27 MRSA §267**, as amended by PL 2001, c. 439, Pt. O, §1, is further amended to read:

### § 267. Expenses

The actual cash expenses of the State Historian incurred while in the discharge of official duties, including any sum necessarily contracted by the State Historian for clerical assistance, must be paid from the State Treasury but may not exceed \$500\$3,500 a year. Any portion of said amount may be expended by the State Historian, under the direction of the Governor, in the publication of historical matter and data relating to the history of the State. Funding for the activities of the State Historian must be appropriated to the Maine Historic Preservation Commission.

## PART YY

**Sec. YY-1. 5 MRSA §1591, sub-§2, ¶C**, as amended by PL 2013, c. 1, Pt. V, §1, is further amended to read:

C. Any balance remaining in the General Fund account of the Department of Health and Human Services, ~~Bureau of Medical~~Office of MaineCare Services program appropriated for All Other line category expenditures at the end of any fiscal year to be carried forward for use in the next fiscal year;

**Sec. YY-2. 22 MRSA §42, sub-§8, ¶A**, as enacted by PL 2003, c. 612, §1, is amended to read:

A. The ~~Bureau of Medical~~Office of MaineCare Services is authorized to adopt rules that have retroactive application when necessary to maximize available federal revenue sources, specifically regarding the federal Medicaid program, or to conform to the state Medicaid plan as filed with the Federal Government. The Bureau of Family Independence is authorized to adopt rules in the MaineCare, Temporary Assistance for Needy Families and food stamp programs that have retroactive application to comply with federal requirements or to conform to the state Medicaid plan as filed with the Federal Government.

**Sec. YY-3. 22 MRSA §48**, as enacted by PL 2003, c. 419, §3, is amended to read:

## § 48.Provider relations

Department personnel assigned to MaineCare provider relations shall assist MaineCare providers in addressing and resolving in a cost-effective and expeditious manner any disagreements between the department and providers or groups of providers. Provider relations personnel shall receive and investigate complaints and concerns from providers regarding the MaineCare program and the MaineCare reimbursement prior to informal review or administrative hearing. In performing their duties under this subsection, the provider relations personnel must have access to the Director of the ~~Bureau of~~ Medical Office of MaineCare Services. The department shall implement the provisions of this section within existing resources.

**Sec. YY-4. 22 MRSA §328, sub-§15**, as enacted by PL 2001, c. 664, §2 and amended by PL 2007, c. 324, §17, is amended to read:

**15. Hospital swing bed.** "Hospital swing bed" means an acute care bed licensed by the ~~Bureau of~~ Medical Office of MaineCare Services, Division of Licensing and Regulatory Services for the use also as a nursing care bed. Swing beds may be established only in rural hospitals with fewer than 100 licensed acute care beds.

**Sec. YY-5. 22 MRSA §1816, first ¶**, as amended by PL 1981, c. 470, Pt. A, §71, is further amended to read:

Every building, institution or establishment for which a license has been issued ~~shall~~must be periodically inspected by duly appointed representatives of the ~~Bureau of~~ Medical Office of MaineCare Services under the rules and regulations to be established by the department. ~~No~~An institution of ~~any kind~~ licensed pursuant to this chapter ~~shall~~may not be required to be licensed or inspected under the laws of this State relating to hotels, restaurants, lodging houses, boardinghouses and places of refreshments. ~~No such~~A license ~~shall~~may not be issued until the applicant has furnished the department with a written statement signed by the Commissioner of Public Safety or the proper municipal official designated in Title 25, chapters 313 to 321 to make fire safety inspections that the home and premises comply with ~~said~~ chapters 313 to 321 relating to fire safety. The department shall establish and pay reasonable fees to the municipal official or the Commissioner of Public Safety for each such inspection. ~~Said~~This written statement ~~shall~~must be furnished annually.

**Sec. YY-6. 22 MRSA §3291, sub-§1**, as amended by PL 2013, c. 368, Pt. CCCC, §1, is further amended to read:

**1. Bureau.** "Bureau" means the ~~Bureau of~~ Medical Office of MaineCare Services with respect to section 7703 and section 1828.

**Sec. YY-7. 22 MRSA §3291, sub-§4**, as amended by PL 2013, c. 368, Pt. CCCC, §1, is further amended to read:

**4. Director.** "Director" means the Director of the Office of Child and Family Services with respect to confidential information derived from chapters 958-A and 1071, and the Director of the ~~Bureau of Medical~~Office of MaineCare Services or the Director of the Office of Child and Family Services with respect to confidential information derived from section 7703 and the Director of the ~~Bureau of Medical~~Office of MaineCare Services with respect to confidential information derived from section 1828.

## **PART ZZ**

**Sec. ZZ-1. 22 MRSA §254-D, sub-§4, ¶D,** as amended by PL 2011, c. 657, Pt. HH, §1, is further amended to read:

D. Income eligibility of individuals must be determined by this paragraph and by reference to the federal poverty guidelines for the 48 contiguous states and the District of Columbia, as defined by the federal Office of Management and Budget and revised annually in accordance with the United States Omnibus Budget Reconciliation Act of 1981, Section 673, Subsection 2, Public Law 97-35, reauthorized by Public Law 105-285, Section 201 (1998). If the household income is not more than ~~175%~~185% of the federal poverty guideline applicable to the household, the individual is eligible for the basic program and the supplemental program. Individuals are also eligible for the basic and the supplemental program if the household spends at least 40% of its income on unreimbursed direct medical expenses for prescription drugs and medications and the household income is not more than 25% higher than the levels specified in this paragraph. For the purposes of this paragraph, the cost of drugs provided to a household under this section is considered a cost incurred by the household for eligibility determination purposes.

## **PART AAA**

**Sec. AAA-1. 22 MRSA §3172-B,** as amended by PL 2011, c. 542, Pt. A, §§31 and 32, is repealed.

## **PART BBB**

**Sec. .** This Part left blank intentionally.

## **PART CCC**

**Sec. CCC-1. 22 MRSA §3762, sub-§20,** as amended by PL 2017, c. 407, Pt. A, §80, is repealed.

## **PART DDD**

**Sec. DDD-1. 34-B MRSA §15001, sub-§3, ¶C,** as enacted by PL 1997, c. 790, Pt. A, §1 and affected by §3, is amended to read:

C. Being assessed as at risk of mental impairment, emotional or behavioral disorder or developmental delay due to established environmental or biological risks using screening instruments developed and adopted by the departments through rulemaking ~~after consultation, review and approval from the Children's Mental Health Oversight Committee;~~ or

**Sec. DDD-2. 34-B MRSA §15001, sub-§4,** as enacted by PL 1997, c. 790, Pt. A, §1 and affected by §3, is repealed.

**Sec. DDD-3. 34-B MRSA §15002, sub-§7,** as corrected by RR 1997, c. 2, §57, is amended to read:

**7. Rulemaking.** The departments shall adopt rules to implement this chapter. Rules in effect for care under the authority of the departments, prior to the adoption of rules pursuant to this subsection, remain in effect until the effective date of the new rules. In addition to the rule-making procedures required under Title 5, chapter 375, prior to adoption of a proposed rule, the department shall provide notice of the content of the proposed rule to ~~the committee and the joint standing committee of the Legislature~~ having jurisdiction over health and human services matters. When a rule is adopted, the department shall provide copies of the adopted rule to ~~the committee and the joint standing committee of the Legislature~~ having jurisdiction over health and human service matters. Unless otherwise specifically designated, rules adopted pursuant to this chapter are routine technical rules as defined in Title 5, chapter 375, subchapter H-A2-A.

**Sec. DDD-4. 34-B MRSA §15003, sub-§1,** as enacted by PL 1997, c. 790, Pt. A, §1 and affected by §3, is amended to read:

**1. Agreements between departments.** The departments shall enter into agreements that designate the department as responsible for the implementation and operation of the program and specify the other departments' respective responsibilities. The agreements must provide mechanisms for planning, developing and designating lead responsibility for each child's care and for coordinating care and supportive services.

The agreements must include memoranda of agreement that provide for clinical consultation and supervision, delivery of care, staff training and development, program development and finances. ~~Revisions to the memoranda of agreement may be made after consultation with and subject to the approval of the committee.~~

**Sec. DDD-5. 34-B MRSA §15003, sub-§2, ¶A,** as enacted by PL 1997, c. 790, Pt. A, §1 and affected by §3, is amended to read:

A. Establish policies and adopt rules necessary to implement the program, including, but not limited to, policies and rules that provide access to clinically appropriate care; establish eligibility standards; provide for uniform intake and assessment protocols; adopt screening tools for functional impairment pursuant to section 15001, subsection 3, paragraph D; and provide for access to information among departments. Rules regarding functional impairments must be developed and adopted by the departments through rulemaking ~~after consultation, review and comment by the committee pursuant to section 15504, subsection 2, paragraph A, subparagraph 3;~~

**Sec. DDD-6. 34-B MRSA §15003, sub-§7**, as enacted by PL 1997, c. 790, Pt. A, §1 and affected by §3, is amended to read:

**7. Evaluation process.** The departments shall develop an evaluation process for the program that includes:

- A. Internal quality assurance mechanisms, clinical progress and performance indicators and information on costs;
- B. System capacity and unmet need for care and department progress in responding to excess capacity and unmet need for care; and
- C. Auditing as required by subsection 8.

Copies of all evaluation reports must be provided to the joint standing committee of the Legislature having jurisdiction over health and human services matters ~~and the committee~~ upon completion.

The department shall seek funding from grants and other outside sources for external evaluations on program effectiveness and cost effectiveness.

**Sec. DDD-7. 34-B MRSA §15003, sub-§9**, as amended by PL 2003, c. 367, §1, is further amended to read:

**9. Reports.** The department shall report by August 1st each year to the joint standing committee of the Legislature having jurisdiction over health and human services matters ~~and the committee~~ on the following matters:

- A. The operation of the program, including fiscal status of the accounts and funds from all sources, including blended, pooled and flexible funding, related to children's mental health care in the departments; numbers of children and families served and their residences by county; numbers of children transferred to care in this State and the types of care to which they were transferred; any waiting lists; delays in delivering services; the progress of the departments in developing new resources; appeals procedures requested, held and decided; the results of decided appeals and audits; and evaluations done on the program;
- B. The experiences of the departments in coordinating program administration and care delivery, including, but not limited to, progress on management information systems; uniform application forms, procedures and assessment tools; case coordination and case management; the use of pooled and blended funding; and initiatives in acquiring and using federal and state funds; and
- C. Barriers to improved delivery of care to children and their families and the progress of the departments in overcoming those barriers.

**Sec. DDD-8. 34-B MRSA §15003, sub-§10, ¶D**, as enacted by PL 2001, c. 439, Pt. KKK, §1, is amended to read:

D. The department shall provide the report, which is public information, to the ~~Children's Mental Health Oversight Committee established in section 15004~~ and the joint standing committee of the Legislature having jurisdiction over health and human services matters.

**Sec. DDD-9. 34-B MRSA §15004**, as amended by PL 2005, c. 397, Pt. C, §20, is repealed.

## PART EEE

**Sec. EEE-1. 36 MRSA §2892**, as amended by PL 2017, c. 284, Pt. III, §1, is further amended to read:

### **§ 2892. Tax imposed**

For the state fiscal year beginning on July 1, 2003, a tax is imposed against each hospital in the State. The tax is equal to .74% of net operating revenue for the tax year as identified on the hospital's most recent audited annual financial statement for that tax year. Delinquent tax payments are subject to Title 22, section 3175-C.

For state fiscal years beginning on or after July 1, 2004, a tax is imposed annually against each hospital in the State. The tax is equal to 2.23% of the hospital's net operating revenue as identified in the hospital's audited financial statement for the hospital's taxable year. For the state fiscal year beginning July 1, 2004, the hospital's taxable year is the hospital's fiscal year that ended during calendar year 2002. For the state fiscal year beginning July 1, 2005, the hospital's taxable year is the hospital's fiscal year that ended during calendar year 2003. For state fiscal years beginning on or after July 1, 2006 but before July 1, 2008, the hospital's taxable year is the hospital's fiscal year that ended during calendar year 2004.

For state fiscal years beginning on or after July 1, 2008 but before July 1, 2010, the hospital's taxable year is the hospital's fiscal year that ended during calendar year 2006.

For state fiscal years beginning on or after July 1, 2010 but before July 1, 2013, the hospital's taxable year is the hospital's fiscal year that ended during calendar year 2008.

For state fiscal years beginning on or after July 1, 2013 but before July 1, 2017, the hospital's taxable year is the hospital's fiscal year that ended during calendar year 2012.

For state fiscal years beginning on or after July 1, 2017 but before July 1, 2019, the hospital's taxable year is the hospital's fiscal year that ended during calendar year 2014.

For state fiscal years beginning on or after July 1, 2019 but before July 1, 2021, the hospital's taxable year is the hospital's fiscal year that ended during calendar year 2016.

## PART FFF

**Sec. FFF-1. PL 2007, c. 240, Pt. X, §2**, as amended by PL 2017, c. 284, Pt. MMMM, §1, is further amended to read:

**Sec. X-2. Transfer of funds.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law to the contrary, until June 30, ~~2019~~2021, available balances of appropriations in MaineCare General Fund accounts may be transferred between accounts by financial order upon the recommendation of the State Budget Officer and approval of the Governor.

## PART GGG

**Sec. GGG-1. Transfer of Personal Services balances to All Other; Department of Health and Human Services, Office for Family Independence.** Notwithstanding any provision of law to the contrary, in fiscal years 2019-20 and 2020-21 only, the Department of Health and Human Services is authorized to transfer available balances of appropriations in the Personal Services line category in the Office for Family Independence program and the Office for Family Independence - District program after all financial commitments for salary, benefit, other obligations and budgetary adjustments have been made to the All Other line category in either the Office for Family Independence program or the Office for Family Independence - District program in order to provide for information technology and related services. These amounts may be transferred by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

## PART HHH

**Sec. HHH-1. Department of Health and Human Services; transfer of funds for MaineCare payments authorized.** Notwithstanding any provision of law to the contrary, for fiscal years 2019-20 and 2020-21 only, available balances of appropriations, excluding balances in the IV-E Foster Care/Adoption Assistance and State-funded Foster Care/Adoption Assistance programs, including available balances of Personal Services appropriations from any account within the Department of Health and Human Services, may be transferred between MaineCare, MaineCare-related and non-MaineCare-related accounts by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

**Sec. HHH-2. Transfer of Personal Services balances to All Other; state psychiatric centers.** Notwithstanding any provision of law to the contrary, for fiscal years 2019-20 and 2020-21 only, the Department of Health and Human Services is authorized to transfer available balances of Personal Services appropriations in the Disproportionate Share - Dorothea Dix Psychiatric Center program, the Disproportionate Share - Riverview Psychiatric Center program and the Riverview Psychiatric Center program after all salary, benefit and other obligations are met to the All Other line category of those programs. These amounts may be transferred by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

## PART III

**Sec. III-1. Transfer of funds.** Notwithstanding any provision of law to the contrary, for fiscal years 2019-20 and 2020-21 only, the Department of Health and Human Services is authorized to transfer available balances of All Other or Personal Services appropriations, after all salary, benefit and other obligations are met, in the Developmental Services - Community program account to the Personal Services line category of the Crisis Outreach Program account by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

## **PART JJJ**

**Sec. JJJ-1. Emergency rule-making authority; health and human services matters.** The Department of Health and Human Services is authorized to adopt emergency rules under the Maine Revised Statutes, Title 5, sections 8054 and 8073 as necessary to implement those provisions of this Act over which the department has subject matter jurisdiction for which specific authority has not been provided in any other Part of this Act without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or general welfare.

## **PART KKK**

**Sec. KKK-1. Study of the new Medicaid expansion population.** The Department of Health and Human Services shall conduct a study of the population covered under the expansion of Medicaid. The department, as part of the study, shall examine the per capita cost of enrollees; changes in uncompensated care; reimbursement rates and revenue from Medicaid compared to other payers; value-based purchasing options; previous insurance status of new members; the impact of the expansion on private insurers and the economy; and any other element necessary to inform future policy decisions by the department. The department shall fund this study within existing resources.

## **PART LLL**

**Sec. LLL-1. 12 MRSA §10202, sub-§9,** as amended by PL 2017, c. 284, Pt. VVVV, §1, is further amended to read:

**9. Fiscal Stability Program.** The Fiscal Stability Program is established to ensure that the general public and hunters and anglers share the cost of the fish and wildlife conservation programs of the department. To achieve this goal, beginning with the ~~2020-2021~~2022-2023 biennial budget and for each biennial budget thereafter, the biennial budget submitted by the executive branch must include an additional General Fund appropriation of 18% in excess of the department's requested biennial budget.

## **PART MMM**

**Sec. MMM-1. Transfer of funds; Department of Inland Fisheries and Wildlife carrying account.** On or before August 1, 2019, the State Controller shall transfer \$43,000 from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations -

Inland Fisheries and Wildlife program, General Fund account for the purchase of one replacement aircraft engine. On or before August 1, 2020, the State Controller shall transfer \$44,000 from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account for the purchase of one replacement aircraft engine.

## PART NNN

**Sec. NNN-1. Judicial salary adjustment.** Notwithstanding any provision of the Maine Revised Statutes, Title 4 to the contrary, effective July 1, 2019 and July 1, 2020, the State Court Administrator shall increase the salaries of the State's chief justices, Chief Judge, Deputy Chief Judge, associate justices and associate judges by 3% in total each of those fiscal years.

## PART OOO

**Sec. OOO-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 PPP

**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);~~

~~(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 QQQ**

**Sec. QQQ-1. 5 MRSA §7054-C**, as enacted by PL 2017, c. 261, §1, is amended to read:

### **§ 7054-C. Person with disability preference**

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

A. ~~"Person with a disability" means a person who has been determined by a qualified professional to have a physical or mental impairment that constitutes a substantial barrier to employment but who can benefit in terms of an employment outcome from the provision of vocational rehabilitation services~~a physical or mental impairment that substantially limits one or more of the person's major life activities.

B. ~~"Qualified professional" means a vocational rehabilitation counselor or other professional with advanced disability training and certification.~~

C. "Special appointment program" means the program established by rule by the Department of Administrative and Financial Services, Bureau of Human Resources to provide persons with disabilities increased access to positions in the classified service.

D. ~~"Ticket to Work program" means the Ticket to Work and Self-Sufficiency Program under Section 1148 of the federal Social Security Act.~~

**2. Interview.** In filling a position in the classified service, the employing agency shall offer an interview to a person with a disability ~~who is eligible for the Ticket to Work program and~~ who meets the minimum qualifications established for the position ~~and to a person who has been determined by a qualified professional to have a disability and who meets the minimum qualifications established for the position.~~

**3. Guidance and referral if not hired.** If a person with a disability applies for a position described in subsection 2 but is not selected, the Department of Administrative and Financial Services, Bureau of Human Resources shall provide guidance to the person regarding other available state positions, ~~including opportunities in the special appointment program,~~ for which the person might qualify. The Bureau of Human Resources may also refer the person to the Department of Labor, Bureau of Rehabilitation Services for potential vocational rehabilitation services ~~if the person has not been referred by a qualified professional, including opportunities in the special appointment program.~~

**4. Retention preference.** In any reduction in personnel in the state service, employees who ~~are eligible for the Ticket to Work program or who are~~ persons with disabilities must be retained in preference to all other competing employees in the same classification with equal seniority, status and performance reviews.

**5. Right to nondisclosure.** A person with a disability ~~or who is eligible for the Ticket to Work program~~ has the right to not disclose that person's disability at the time of hire but may not assert a right to a retention preference pursuant to subsection 4 at a later date.

## PART RRR

**Sec. RRR-1. 26 MRSA §1082, sub-§12,** as amended by PL 1983, c. 351, §13, is further 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~~that individual's wages and employment covered under the unemployment compensation or employment security laws of other states ~~which~~that 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~~that 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~~the commissioner considers 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 Federal Government, as provided under Section 303(g) of the federal 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 Federal Government. 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 Federal Government.

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 SSS

**Sec. SSS-1. Waiver for state innovation.** The Commissioner of Health and Human Services in consultation with the Superintendent of Insurance may apply to the United States Secretary of Health and Human Services under 42 United States Code, Section 18052 for a waiver of applicable provisions of the federal Patient Protection and Affordable Care Act with respect to health insurance coverage in the State for a plan year beginning on or after January 1, 2021 for the purposes of improving affordability. The commissioner may implement a state plan meeting the waiver requirements in a manner consistent

with state and federal law and as approved by the United States Secretary of Health and Human Services. The state plan may not increase cost sharing or reduce the comprehensiveness of coverage. If a waiver application has not been submitted by June 30, 2022, the authority to apply for a waiver pursuant to this section is terminated.

## PART TTT

**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.

**Sec. TTT-2. Retroactivity.** This Part applies retroactively to January 1, 2018.

## 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-§2,** as amended by PL 2009, c. 174, §21, is further amended to read:

**2. Communications Equipment Fund.** There is established the Communications Equipment Fund to be used by the Division for the Deaf, Hard of Hearing and Late Deafened within the Bureau of Rehabilitation Services. The fund is nonlapsing. The fund receives money transferred by the Public Utilities Commission from the universal service fund pursuant to Title 35-A, section 7104. The Division for the Deaf, Hard of Hearing and Late Deafened may accept gifts or grants, including, but not limited to,

federal grants, for the purposes of this section. Funds transferred from the universal service fund pursuant to Title 35-A, section 7104 and all gifts and grants and authorized appropriations must be deposited in the Communications Equipment Fund and disbursed in accordance with this section. The Communications Equipment Fund may be used for purchase, lease, distribution, upgrading, installation, maintenance and repair of specialized customer communications equipment for deaf, hard-of-hearing, late-deafened or speech-impaired persons and persons with disabilities, for training in the use of such equipment and for administrative costs associated with these uses of the fund, ~~except that funds received for the purposes of subsection 6 pursuant to Title 35-A, section 7104 may be used only in accordance with subsection 6.~~ The Division for the Deaf, Hard of Hearing and Late Deafened may draw on the Communications Equipment Fund in accordance with the communications equipment plan required under subsection 3.

**Sec. UUU-3. 26 MRSA §1419-A, sub-§6,** as amended by PL 2009, c. 174, §21, is repealed.

**Sec. UUU-4. 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 VVV**

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

## **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 XXX

**Sec. XXX-1. 2 MRSA §6, sub-§2**, as amended by PL 2017, c. 284, Pt. QQQQQ, §1, is further amended to read:

**2. Range 90.** The salaries of the following state officials and employees are within salary range 90:

Superintendent of Financial Institutions;

Superintendent of Consumer Credit Protection;

State Tax Assessor;

Associate Commissioner for Tax Policy, Department of Administrative and Financial Services;

Superintendent of Insurance;

Executive Director of the Maine Consumer Choice Health Plan;

Two deputy commissioners, Department of Administrative and Financial Services;

Deputy Commissioner, Department of Corrections;

Public Advocate;

Two deputy commissioners, Department of Health and Human Services;

Chief Information Officer;

Associate Commissioner, Department of Corrections;

Chief of the State Police; ~~and~~

Securities Administrator, Office of Securities; and

Director, Office of Professional and Occupational Regulation.

**Sec. XXX-2. 2 MRSA §6, sub-§4**, as amended by PL 2015, c. 267, Pt. III, §1 and Pt. RRR, §2, is further amended to read:

**4. Range 88.** The salaries of the following state officials and employees are within salary range 88:

Director, Bureau of Air Quality;

Director, Bureau of Water Quality;

Director, Bureau of Land Resources;

Director, Bureau of Remediation and Waste Management;

Deputy Commissioner, Environmental Protection; and  
Director, Office of Professional and Occupational Regulation; and  
Deputy Chief of the State Police.

## PART YYY

**Sec. YYY-1. 14 MRSA §6112, sub-§4**, as enacted by PL 2009, c. 402, §15, is amended to read:

**4. Funding.** The Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection shall ~~establish a nonlapsing, dedicated account for the deposit of revenues transferred from the Department of Administrative and Financial Services, Maine Revenue Services pursuant to Title 36, section 4641-B, subsection 6 and for any funds received from any public or private source.~~ The Bureau of Consumer Credit Protection shall use the ~~account~~funds to cover the costs of carrying out the duties in this section and section 6111, subsections 3-A, 3-B and 4-A, and the funds ~~in the account~~ may not be used for any other purpose.

**Sec. YYY-2. Transfer balances.** Notwithstanding any provision of law to the contrary, at the close of fiscal year 2018-19, the State Controller shall transfer, after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute, any remaining balance in the Statewide Outreach account, Other Special Revenue Funds to the Bureau of Consumer Credit Protection account, Other Special Revenue Funds, which are both within the Bureau of Consumer Credit Protection program in the Department of Professional and Financial Regulation.

## PART ZZZ

**Sec. ZZZ-1. Carrying provision; Department of Secretary of State, Elections and Commissions.** Notwithstanding any provision of law to the contrary, the State Controller shall carry forward any unexpended balance in the All Other line category at the end of fiscal year 2019-20 to the next fiscal year in the Department of Secretary of State, Elections and Commissions program to be used as matching funds for the federal Help America Vote Act of 2002.

## PART AAAA

**Sec. AAAA-1. Carry balance fiscal year 2018-19; Office of Treasurer of State, Debt Service.** Notwithstanding any provision of law to the contrary, the State Controller shall carry any remaining fiscal year 2018-19 balance in the Office of Treasurer of State, Debt Service - Treasury program into fiscal year 2019-20.

**Sec. AAAA-2. Carry balance fiscal year 2019-20; Office of Treasurer of State, Debt Service.** Notwithstanding any provision of law to the contrary, the State Controller shall carry any remaining fiscal year 2019-20 balance in the Office of Treasurer of State, Debt Service - Treasury program into fiscal year 2020-21.

## **PART BBBB**

**Sec. BBBB-1. Transfer to MaineCare Stabilization Fund.** Notwithstanding any law to the contrary, the State Controller shall transfer \$14,500,000 from the Fund for a Healthy Maine dedicated revenue, excluding slot machine income credited to the Fund for a Healthy Maine in the Maine Revised Statutes, Title 8, section 1036, to the MaineCare Stabilization Fund established in Title 22, section 3174-KK on or before June 30, 2019.

**Sec. BBBB-2. Transfer to MaineCare Stabilization Fund.** Notwithstanding any law to the contrary, the State Controller shall transfer \$14,500,000 from the unappropriated surplus of the General Fund to the MaineCare Stabilization Fund established in the Maine Revised Statutes, Title 22, section 3174-KK on or before June 30, 2019.

**Sec. BBBB-3. Transfer for MaineCare payments.** Notwithstanding any law to the contrary, the State Controller shall transfer up to \$29,000,000 from the balance available in the MaineCare Stabilization Fund established in the Maine Revised Statutes, Title 22, section 3174-KK for MaineCare payments in the Department of Health and Human Services. Amounts transferred may be expended based on allotment established by financial order approved by the Governor. The amounts transferred are considered adjustments to appropriations. The Governor shall inform the Legislative Council and the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and health and human services matters immediately upon such a transfer from the MaineCare Stabilization Fund.

**Sec. BBBB-4. Transfer to Fund for a Healthy Maine.** After the State Controller has made the transfers for MaineCare payments authorized pursuant to section 3 of this Part, the State Controller shall transfer any remaining balance, up to \$14,500,000, on June 30, 2021 to the Fund for a Healthy Maine dedicated revenue.

## **PART CCCC**

**Sec. CCCC-1. Department of Health and Human Services; transfer of funds from All Other.** Notwithstanding any provision of law to the contrary, for fiscal years 2019-20 and 2020-21 only, the Department of Health and Human Services may transfer from available balances of appropriations in the All Other line category after the deduction of all appropriations, financial commitments, other designated funds or any other transfer authorized by statute from any account within the Department of Health and Human Services, excluding balances in the IV-E Foster Care/Adoption Assistance and State-funded Foster Care/Adoption Assistance programs, for the purpose of the information system modernization project in the office of aging and disability services, including the modernization of and merging of information systems within the Department of Health and Human

Services, office of aging and disability services, by financial order upon the recommendation of the State Budget Officer and approval of the Governor. This transfer is not considered an adjustment to appropriations.

**PART DDDD**

**Sec. DDDD-1. Department of Administrative and Financial Services, Central Administrative Applications program, General Fund account carry-forward.**

Notwithstanding any provision of law to the contrary, any balance remaining in the Department of Administrative and Financial Services, Central Administrative Applications program, General Fund account at the close of fiscal year 2018-19, fiscal year 2019-20 and fiscal year 2020-21 may not lapse and must be carried forward in the same program.

**PART EEEE**

**Sec. EEEE-1. Personal Services review.** The Department of Administrative and Financial Services, Bureau of the Budget shall conduct a review of Personal Services balances in executive branch departments and agencies for the purpose of identifying total General Fund savings in the Personal Services line category equal to \$1,046,580 and Highway Fund savings in the Personal Services line category equal to \$31,578 in fiscal years 2018-19, 2019-20 and 2020-21.

**Sec. EEEE-2. Calculation and transfer.** Notwithstanding any provision of law to the contrary, the State Budget Officer shall calculate the amount of the savings associated with section 1 of this Part that applies against each General Fund and Highway Fund account for all executive branch departments and agencies statewide and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to appropriations in fiscal years 2018-19, 2019-20 and 2020-21.

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

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

**Accident - Sickness - Health Insurance 0455**

Initiative: Adjusts funding to reflect correct savings included in Public Law 2017, chapter 284, Part ZZZZZZ.

<b>GENERAL FUND</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>
All Other	\$1,046,580	\$1,046,580	\$1,046,580
<b>GENERAL FUND TOTAL</b>	<b>\$1,046,580</b>	<b>\$1,046,580</b>	<b>\$1,046,580</b>

<b>HIGHWAY FUND</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>
All Other	\$31,578	\$31,578	\$31,578
<b>HIGHWAY FUND TOTAL</b>	<b>\$31,578</b>	<b>\$31,578</b>	<b>\$31,578</b>

**Executive Branch Departments and Independent Agencies - Statewide 0017**

Initiative: Adjusts funding on a one-time basis to reflect correct savings included in Public Law 2017, chapter 284, Part ZZZZZZ.

<b>GENERAL FUND</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>
Personal Services	(\$1,046,580)	(\$1,046,580)	(\$1,046,580)
<b>GENERAL FUND TOTAL</b>	<b>(\$1,046,580)</b>	<b>(\$1,046,580)</b>	<b>(\$1,046,580)</b>

<b>HIGHWAY FUND</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>
Personal Services	(\$31,578)	(\$31,578)	(\$31,578)
<b>HIGHWAY FUND TOTAL</b>	<b>(\$31,578)</b>	<b>(\$31,578)</b>	<b>(\$31,578)</b>

<b>ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF</b>			
<b>DEPARTMENT TOTALS</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>
<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>HIGHWAY FUND</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**PART FFFF**

**Sec. FFFF-1. Personal Services balances; Maine Health Data Organization; transfers authorized.** Notwithstanding any provision of law to the contrary, in the 2020-2021 biennium, the Maine Health Data Organization, upon recommendation of the State Budget Officer and approval of the Governor, is authorized to transfer by financial order up to \$290,000 in each fiscal year available balances of Personal Services allocations, after all salary, benefit and other obligations are met, to the All Other line category in the Maine Health Data Organization, Other Special Revenue Funds account.

**PART GGGG**

**Sec. GGGG-1. Department of Health and Human Services; Departmentwide All Other.** Notwithstanding any provision of law to the contrary, the State Budget Officer shall calculate the amount of All Other savings that applies to each General Fund account in the Department of Health and Human Services and shall transfer by financial order upon the recommendation of the State Budget Officer and approval of the Governor, the All Other funding from each General Fund account to the Departmentwide program, General Fund account for the purpose of achieving All Other savings in each fiscal year. These transfers are considered adjustments to appropriations in fiscal years 2019-20 and 2020-21.

## PART HHHH

**Sec. HHHH-1. 22 MRSA §3104, sub-§11,** as amended by PL 2009, c. 291, §2, is further amended to read:

**11. Food supplement program overpayment recovery.** The Food Supplement Administration account is established as a nonlapsing Other Special Revenue Funds account in the Department of Health and Human Services, Food Supplement Administration program. Any allowable portion of money, as determined pursuant to federal law, recovered by the department as a result of the overpayment of food supplement benefits must be deposited to into the General Fund, including any money up to a maximum of \$81,475 recovered prior to March 14, 1991~~Other Special Revenue Funds, Food Supplement Administration account.~~

## PART III

**Sec. III-1. 5 MRSA §1531, sub-§2,** as amended by PL 2015, c. 267, Pt. L, §3, is further amended to read:

**2. Average personal income growth.** "Average personal income growth" means the average for the prior 10 calendar years, ending with the most recent calendar year for which data is available, of the percent change in personal income in this State, as estimated by the United States Department of Commerce, Bureau of Economic Analysis. The average personal income growth is determined by October 1st, annually, by the ~~Governor's Office of Policy and Management~~State Economist.

**Sec. III-2. 5 MRSA §1710-D,** as amended by PL 2011, c. 655, Pt. DD, §3 and affected by §24, is further amended to read:

### § 1710-D.Staffing

The commission may receive staff support from the ~~Governor's Office of Policy and Management~~Department of Administrative and Financial Services and the Department of Labor.

**Sec. III-3. 5 MRSA §1710-I,** as amended by PL 2011, c. 655, Pt. DD, §4 and affected by §24, is further amended to read:

### § 1710-I.Staffing

The committee may receive staff assistance from the ~~Bureau of the Budget, the Governor's Office of Policy and Management, the Bureau of Revenue Services~~Department of Administrative and Financial Services and, at the discretion of the Legislature, the Office of Fiscal and Program Review. The committee may also utilize other professionals having revenue forecasting, economic and fiscal expertise.

**Sec. III-4. 5 MRSA §13056, sub-§3**, as amended by PL 2011, c. 655, Pt. DD, §6 and affected by §24, is further amended to read:

**3. Conduct planning and research.** Conduct planning, research and analysis for department needs, but not macroeconomic forecasting, which is the responsibility of the ~~Governor's Office of Policy and Management~~Department of Administrative and Financial Services. The department shall gather, ~~and maintain and~~ must have access to all economic and other information necessary to the performance of its duties;

**Sec. III-5. 10 MRSA §363, sub-§2-A**, as amended by PL 2011, c. 655, Pt. DD, §8 and affected by §24, is further amended to read:

**2-A. Recommendation of Governor and issuers.** At any time action of the Legislature under subsection 1-A is necessary or desirable, the Governor shall recommend to the appropriate committee of the Legislature a proposed allocation or reallocation of all or part of the state ceiling. To assist the Governor in making a recommendation of proposed allocations of the state ceiling on private activity bonds, the group of 7 representatives described in subsection 1-A shall make a recommendation regarding allocation or reallocation of the state ceiling. In order to assist the group in making its recommendation and to assist the Governor and the Legislature, the Department of Administrative and Financial Services, ~~in consultation with the Governor's Office of Policy and Management~~, shall prepare an annual analysis of the State's economic outlook, prevailing interest rate forecasts related to tax-exempt financing by the issuers specifically identified in subsections 4 to 8, the availability to those issuers of alternative financing from sources that do not require an allocation of the state ceiling and the relationship of these factors and various public policy considerations to the allocation or reallocation of the state ceiling. In recommending any allocation or reallocation of the state ceiling to the Legislature, the Governor shall consider the requests and recommendations of those issuers of bonds within the State designated in this section, the recommendations of the group of representatives described in subsection 1-A and the annual analysis of the Department of Administrative and Financial Services.

**Sec. III-6. 12 MRSA §8876, sub-§2**, as amended by PL 2011, c. 655, Pt. DD, §9 and affected by §24, is further amended to read:

**2. Future demand.** Project future demand for forest resources based on a common economic forecast developed by the ~~Governor's Office of Policy and Management~~Consensus Economic Forecasting Commission and on other appropriate economic projections;

**Sec. III-7. 26 MRSA §3, sub-§3, ¶B**, as enacted by PL 2015, c. 250, Pt. C, §2, is amended to read:

B. Information and records pertaining to the workforce, employment patterns, wage rates, poverty and low-income patterns, economically distressed communities and regions and other similar information and data to ~~the Department of Administrative and Financial Services and the Department of Economic and Community Development and to the Governor's Office of Policy and Management~~ for the purposes of analysis and evaluation, measuring and monitoring poverty and economic and social conditions throughout the State, and promoting economic development.

**Sec. III-8. 30-A MRSA §5250-O, first ¶**, as amended by PL 2017, c. 440, §4, is further amended to read:

A business may apply to the commissioner for certification as a qualified Pine Tree Development Zone business. Upon review and determination by the commissioner that a business is a qualified Pine Tree Development Zone business, the commissioner shall issue a letter of certification to the business that includes a description of the qualified business activity for which the letter is being issued. Prior to issuing a letter of certification, the commissioner must find that the business activity will not result in a substantial detriment to existing businesses in the State. In order to make this determination, the commissioner shall consider those factors the commissioner determines necessary to measure and evaluate the effect of the proposed business activity on existing businesses, including whether any adverse economic effect of the proposed business activity on existing businesses is outweighed by the contribution to the economic well-being of the State. ~~The State Economist must review applications under this section and provide an advisory opinion to assist the commissioner in making findings under this section.~~ The commissioner shall provide a copy of the letter of certification to the State Tax Assessor.

**Sec. III-9. 30-A MRSA §5903, sub-§6-A**, as amended by PL 2011, c. 655, Pt. DD, §13 and affected by §24, is further amended to read:

**6-A. Median household income.** "Median household income" means the income computed based on the most current census information available, as provided by the ~~Governor's Office of Policy and Management~~State Economist.

**Sec. III-10. 35-A MRSA §3454, first ¶**, as repealed and replaced by PL 2013, c. 424, Pt. A, §21, is amended to read:

In making findings pursuant to Title 38, section 484, subsection 3, the primary siting authority shall presume that an expedited wind energy development provides energy and emissions-related benefits described in section 3402 and shall make additional findings regarding other tangible benefits provided by the development. The Department of Labor, ~~the Governor's Office of Policy and Management~~, the Governor's Energy Office and the Public Utilities Commission shall provide review comments if requested by the primary siting authority.

**Sec. III-11. 36 MRSA §6756, 2nd ¶**, as enacted by PL 1995, c. 669, §5, is repealed.

**Sec. III-12. 38 MRSA §484, sub-§10**, as amended by PL 2011, c. 655, Pt. DD, §18 and affected by §24, is further amended to read:

**10. Special provisions; wind energy development or offshore wind power project.**

In the case of a grid-scale wind energy development, or an offshore wind power project with an aggregate generating capacity of 3 megawatts or more, the proposed generating facilities, as defined in Title 35-A, section 3451, subsection 5:

- A. Will be designed and sited to avoid unreasonable adverse shadow flicker effects;
- B. Will be constructed with setbacks adequate to protect public safety. In making a finding pursuant to this paragraph, the department shall consider the recommendation of a professional, licensed civil engineer as well as any applicable setback recommended by a manufacturer of the generating facilities; and
- C. Will provide significant tangible benefits as determined pursuant to Title 35-A, section 3454, if the development is an expedited wind energy development.

The Department of Labor, ~~the Governor's Office of Policy and Management~~, the Governor's Energy Office and the Public Utilities Commission shall provide review comments if requested by the primary siting authority.

For purposes of this subsection, "grid-scale wind energy development," "primary siting authority," "significant tangible benefits" and "expedited wind energy development" have the same meanings as in Title 35-A, section 3451.

**PART JJJJ**

**Sec. JJJJ-1. Transfer to Maine Budget Stabilization Fund for fiscal year 2018-19.**

On or before June 30, 2019, the State Controller shall transfer \$19,800,000 from the unappropriated surplus of the General Fund to the Maine Budget Stabilization Fund established in the Maine Revised Statutes, Title 5, section 1532.

**PART KKKK**

**Sec. KKKK-1. PL 2017, c. 284, Pt. EEEEEEE, §1** is amended to read:

**Sec. EEEEEEE-1. Reserve for Riverview Psychiatric Center established.**

Notwithstanding any other provision of law to the contrary, on or before June 30, 2019, the State Controller shall transfer up to ~~\$65,000,000~~\$79,500,000 from the Maine Budget Stabilization Fund within the Department of Administrative and Financial Services to a General Fund reserve account established by the State Controller for the purpose of providing General Fund resources for the amounts in federal financial participation for Medicaid services and disproportionate share hospital payments related to the Riverview Psychiatric Center. Transfers from the reserve account may be made to the Department of Health and Human Services pending a notice and reconsideration of disallowance from the federal Centers for Medicare and Medicaid Services, dated June 7, 2017.

## PART LLLL

**Sec. LLLL-1. 34-A MRSA §3902**, as enacted by PL 1983, c. 861, §1, is amended to read:

### **§ 3902. Purposes**

The purposes of the Downeast Correctional Facility include vocational and academic ~~education~~ rehabilitative programs, including work release, and work, which may involve public restitution.

**Sec. LLLL-2. 34-A MRSA §3903**, as amended by PL 1985, c. 785, Pt. B, §159, is repealed and the following enacted in its place:

### **§ 3903. Superintendent**

**1. Chief administrative officer.** The chief administrative officer of the Downeast Correctional Facility is the superintendent of the Mountain View Correctional Facility, referred to in this subchapter as "the superintendent," and is responsible to the commissioner.

**2. Duties.** In addition to other duties set out in this Title, the superintendent has the following duties.

A. The superintendent shall exercise proper supervision over the employees, grounds, buildings and equipment at the Downeast Correctional Facility.

B. The superintendent shall supervise and control the prisoners at the Downeast Correctional Facility in accordance with departmental rules.

**Sec. LLLL-3. 34-A MRSA §3904, sub-§2**, as enacted by PL 1983, c. 861, §1 and amended by PL 2005, c. 397, Pt. D, §3, is further amended to read:

**2. Education.** ~~The director~~ superintendent shall maintain suitable courses for academic and career and technical education of the prisoners of the Downeast Correctional Facility. ~~The director~~ superintendent shall maintain necessary equipment and employ suitable qualified instructors as necessary to carry out the objectives of the facility's programs.

**Sec. LLLL-4. 34-A MRSA §3905**, as enacted by PL 1983, c. 861, §1, is amended to read:

### **§ 3905. Downeast Correctional Facility employees**

Employees of the Downeast Correctional Facility have the same power as sheriffs in their respective counties to search for and apprehend escapees from the facility, when authorized to do so by the ~~director~~ superintendent.

## PART MMMM

**Sec. MMMM-1. PL 2015, c. 483, §1, sub-§5,** as amended by PL 2019, c. 4, Pt. D, §1, is further amended to read:

**5. Cost recovery fund.** There is established within the commission a nonlapsing cost recovery fund, referred to in this section as "the fund." The fund receives funds allocated or transferred by the Legislature from the unappropriated surplus of the General Fund in accordance with subsection 8. The commission shall use the fund to pay all above-market costs of any contract entered into under this section. No more than 50% of the fund may be awarded to facilities serving the NMISA region. Notwithstanding any law to the contrary, by August 1, 2019, \$5,461,387.64 in the fund must be transferred to the General Fund unappropriated surplus in fiscal year 2019-20. The commission by rule or order shall establish how above-market costs are determined and how payments from the fund are made. Amounts remaining in the cost recovery fund that are not needed to pay above-market costs in accordance with subsection 6 may not be transferred without legislative approval.

## PART NNNN

**Sec. NNNN-1. 20-A MRS §6602, sub-§1, ¶D** is enacted to read:

D. A public school that serves lunch shall provide all students who are eligible for free and reduced-price meals under paragraph A a meal that meets the requirements of the federal National School Lunch Program set forth in 7 Code of Federal Regulations, Part 210 (2019) at no cost to the student. The State shall provide funding equal to the difference between the federal reimbursement for a free lunch and the federal reimbursement for a reduced-price lunch for each student eligible for a reduced-price lunch and receiving lunch.

## PART OOOO

**Sec. OOOO-1. Transfer to School Revolving Renovation Fund; Maine Municipal Bond Bank.** On or before June 30, 2019, the State Controller shall transfer \$18,000,000 from the unappropriated surplus of the General Fund to the Maine Municipal Bond Bank for the School Revolving Renovation Fund established in the Maine Revised Statutes, Title 30-A, section 6006-F.

## PART PPPP

**Sec. PPPP-1. Transfer from General Fund; indigent legal services.** On or immediately after July 1, 2019, the State Controller shall transfer \$16,526,403 from the unappropriated surplus of the General Fund to the Maine Commission on Indigent Legal Services, Reserve for Indigent Legal Services program, Other Special Revenue Funds.

## PART QQQQ

**Sec. QQQQ-1. Lapsed balances; Legislature, General Fund account.**

Notwithstanding any provision of law to the contrary, \$242,007 of unencumbered balance forward from the various program accounts and line categories in the Legislature, General Fund accounts as specified by the Executive Director of the Legislative Council lapses to the unappropriated surplus of the General Fund to offset the additional General Fund costs from position changes. By September 1, 2019, the Executive Director of the Legislative Council shall review the Legislature, General Fund accounts and notify the State Controller of the unencumbered balance forward amounts by account and line category totaling \$242,007 that the State Controller shall lapse to the unappropriated surplus of the General Fund no later than June 30, 2020.

**Sec. QQQQ-2. Lapsed balances; Legislature, General Fund account.**

Notwithstanding any provision of law to the contrary, \$268,642 of unencumbered balance forward from the various program accounts and line categories in the Legislature, General Fund accounts as specified by the Executive Director of the Legislative Council lapses to the unappropriated surplus of the General Fund to offset the additional General Fund costs from position changes. By September 1, 2020, the Executive Director of the Legislative Council shall review the Legislature, General Fund accounts and notify the State Controller of the unencumbered balance forward amounts by account and line category totaling \$268,642 that the State Controller shall lapse to the unappropriated surplus of the General Fund no later than June 30, 2021.

## **PART RRRR**

**Sec. RRRR-1. Strategic economic plan.** The Department of Economic and Community Development, in collaboration with public and private constituents, shall facilitate the creation of a 10-year strategic economic plan, referred to in this section as "the strategic plan," that recommends breakthrough strategies for increased economic prosperity for all citizens of the State in all regions, ultimately measured by increased household income, a growing workforce and sustainable business development.

The strategic plan must extend broadly from the Maine Innovation Economy Advisory Board's 2017 innovation economy action plan created pursuant to the Maine Revised Statutes, Title 10, section 949 and seek to leverage private and federal investment, particularly in areas of scientific research and commercialization. The strategic plan's strategic goals must include the following:

1. To drive the value-added contribution per job from \$87,160 to a goal identified by the Department of Economic and Community Development;
2. To equitably grow the annual median wage per job from \$31,550 to a goal identified by the Department of Economic and Community Development; and
3. To grow the workforce from 700,000 workers to a goal identified by the Department of Economic and Community Development.

The strategic plan must include sufficient assignments of accountability to ensure execution of the plan with sufficient metrics for effective management.

The strategic plan must include an analysis of gaps in funding and policy and recommendations that ensure dependable continuity of access to capital across business start-up stages from equity investments, seed capital tax credits, start-up grants and direct, revolving and commercial loans with clear benchmarks, rigorous accountability, public transparency and risk mitigation that protect public benefits.

Following a comprehensive assessment and trend analysis of research and development and business and commercial assets in the State, the Department of Economic and Community Development shall ensure that the strategic plan includes consideration of but is not limited to directing policy supports that suit economic development in the emerging sectors of: life sciences and biomedical technology, environmental and renewable energy technology, information technology, advanced technologies for forestry and agriculture, aquaculture and marine technology, composites and advanced materials and precision manufacturing.

The strategic plan must complement and support other concurrent and parallel state planning initiatives on energy and broadband connectivity such as the comprehensive state energy plan pursuant to the Maine Revised Statutes, Title 2, section 9, subsection 3, paragraph C, the Statewide Broadband Action Plan of the Department of Economic and Community Development dated March 2018 and the Detailed 2019-2021 Strategic Plan for Broadband Service in Maine created by the ConnectME Authority in February 2019.

The Department of Economic and Community Development shall establish a steering committee composed of representatives from the Department of Economic and Community Development, the Finance Authority of Maine and the Department of Labor and the State Economist; the steering committee shall guide the development of the strategic plan.

The Department of Economic and Community Development shall establish a work team, and the work team shall develop the content of the strategic plan. The work team must include, but is not limited to, the members of the steering committee and representatives from a state business organization, the Maine Technology Institute, the Maine Development Foundation, a venture capital fund operating in the State, the office of the President of the University of Maine and a state building and trades organization.

The content of the strategic plan must be informed by the work team and developed in consultation with individuals and agencies, including, but not limited to, those with qualifications and experience related to: scientific research leading to creation of intellectual property, entrepreneurship and successful development of start-up and spin-off businesses; evaluating and underwriting successful business start-ups; technology transfer and capitalization of intellectual property; evaluating or completing successful projects funded in partnership with institutions such as the National Science Foundation, the United States Department of Health and Human Services, the National Institutes of Health and National Institute of General Medical Sciences and the Maine Experimental Program to Stimulate Competitive Research, established in the Maine Revised Statutes, Title 5, section 13110, federal small business innovation research and small business technology transfer programs, national research laboratories and the Maine Technology Institute's technology asset fund.

The strategic plan must also be informed by input from, without limitation, the Finance Authority of Maine, the Maine Technology Institute, the Governor's office of innovation and the future, the Department of Economic and Community Development, the Maine Innovation Economy Advisory Board, the office of the President of the University of Maine, the office of the Chancellor of the University of Maine

System, the ConnectME Authority, an organization representing the energy sector, a venture capital fund operating in the State, organizations in the State dedicated to entrepreneurship, an organization in the State dedicated to biomedical research excellence and the State's congressional delegation.

The Department of Economic and Community Development shall establish within the strategic plan a schedule for periodic review of the plan goals and progress made pursuant to those goals. The Department of Economic and Community Development shall also include within the strategic plan a strategy for continuation of the strategic plan following the expiration of the 10-year plan period.

By December 31, 2019, the Department of Economic and Community Development shall provide a report on the strategic plan to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Innovation, Development, Economic Advancement and Business and shall provide copies of the strategic plan to all members of the Legislature. The Joint Standing Committee on Innovation, Development, Economic Advancement and Business may report out a bill based on the report to the Second Regular Session of the 129th Legislature.

## PART SSSS

**Sec. SSSS-1. 25 MRSA §2927, sub-§1-E, ¶A**, as amended by PL 2009, c. 617, §8 and affected by §13, is repealed and the following enacted in its place:

A. Prior to January 1, 2020, the statewide E-9-1-1 surcharge is 45¢ per month per line or number. Beginning January 1, 2020, the Public Utilities Commission shall establish the statewide E-9-1-1 surcharge, except that the statewide E-9-1-1 surcharge may not exceed 35¢ per month per line or number. The commission shall establish the statewide E-9-1-1 surcharge by routine technical rules, as defined in Title 5, chapter 375, subchapter 2-A, or through other commission proceedings. The statewide E-9-1-1 surcharge may not be imposed on more than 25 lines or numbers per customer billing account.

**Sec. SSSS-2. 25 MRSA §2927, sub-§1-F, ¶A**, as amended by PL 2009, c. 617, §9 and affected by §13, is repealed and the following enacted in its place:

A. Prior to January 1, 2020, the prepaid wireless E-9-1-1 surcharge is 45¢ per retail transaction. Beginning January 1, 2020, the Public Utilities Commission shall establish the prepaid wireless E-9-1-1 surcharge, except that the prepaid wireless E-9-1-1 surcharge may not exceed 35¢ per retail transaction. The commission shall establish the prepaid wireless E-9-1-1 surcharge by routine technical rules, as defined in Title 5, chapter 375, subchapter 2-A, or through other commission proceedings.

**Sec. SSSS-3. 35-A MRSA §9211, sub-§2-A** is enacted to read:

**2-A. Surcharge; collection.** Beginning January 1, 2020, in addition to the assessment imposed pursuant to subsection 2, a ConnectME surcharge of 10¢ per line or number is imposed. The assessment imposed pursuant to subsection 2 and the surcharge imposed pursuant to this subsection must be collected from the customer on a monthly basis by each communications service provider. Revenue must be deposited in the fund.

**Sec. SSSS-4. 35-A MRSA §9211, sub-§3**, as enacted by PL 2005, c. 665, §3, is amended to read:

**3. Explicit identification of assessment and surcharge on customer bills.** A communications service provider assessed pursuant to subsection 2 may recover the amount of the assessment from the provider's customers. If a provider recovers the amount from its customers, it must explicitly identify the amount owed by a customer on the customer's bill and indicate that the funds are collected for use in the ConnectME Fund. Beginning January 1, 2020, the ConnectME surcharge imposed pursuant to subsection 2-A must be shown separately from the assessment imposed pursuant to subsection 2 as a statewide ConnectME surcharge on the customer's bill.

## PART TTTT

**Sec. TTTT-1. 5 MRSA §13056-H** is enacted to read:

### **§ 13056-H. Maine Economic Development Fund**

The Maine Economic Development Fund is established as a nonlapsing fund within the department to encourage and support economic and business growth, rural manufacturing and industrial site redevelopment and implementation of a strategic plan.

**Sec. TTTT-2. Transfer.** Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$4,000,000 from the unappropriated surplus of the General Fund to the Maine Economic Development Fund established in the Maine Revised Statutes, Title 5, section 13056-H, no later than June 30, 2020.

## PART UUUU

**Sec. UUUU-1. 20-A MRSA §4501, first ¶**, as amended by PL 2013, c. 581, §4, is further amended to read:

In accordance with the policy expressed in section 2, every school administrative unit shall raise annually sufficient funds to maintain or support elementary and secondary schools to provide free education for its resident students at all grade levels. These schools shall meet the requirements of basic school approval. To the extent the State provides adequate start-up funding, a school administrative unit may offer an opportunity for every child 4 years of age residing in the school administrative unit to attend a public preschool program, or a program affiliated with the school administrative unit, meeting the requirements of basic school approval. It is the goal of the State to provide adequate start-up funding to ensure that public preschool programs for children 4 years of age are offered by all school administrative units by the ~~2018-2019~~2023-2024 school year.

**Sec. UUUU-2. Development of recommendations; report.** In order to meet the goal of ensuring that public preschool programs for children 4 years of age are offered by all school administrative units by the 2023-2024 school year in accordance with the Maine Revised Statutes, Title 20-A, section

4501, the Department of Education shall develop recommendations, including recommended legislation, for the implementation of universal public preschool for children 4 years of age. The recommendations must include, but are not limited to:

1. Standards for public preschool programs;
2. A process for approval and certification of programs not operated by a school administrative unit, including, but not limited to, a Head Start program or other program affiliated with the school administrative unit; and
3. Funding for public preschool programs, including funding options that will encourage school administrative units to implement new public preschool programs or expand existing public preschool programs.

No later than January 1, 2020, the Department of Education shall submit a report of its recommendations, including recommended legislation, to the Joint Standing Committee on Education and Cultural Affairs. The joint standing committee may report out legislation to the Second Regular Session of the 129th Legislature to implement the recommendations included in the report.

## **PART VVVV**

**Sec. VVVV-1. Legislature to contract for independent review of the State's early childhood special education services.** The Legislature, through the Joint Standing Committee on Education and Cultural Affairs, referred to in this Part as "the joint standing committee," may contract with a qualified research and technical assistance entity to conduct pursuant to sections 5 and 6 an independent review of the State's early childhood special education services and develop recommendations and an implementation plan.

**Sec. VVVV-2. Assistance; request for proposals process.** At the direction of the joint standing committee, the Office of the Executive Director of the Legislative Council, referred to in this Part as "the office," shall develop and administer a request for proposals process to permit the Legislature, through the joint standing committee, to award a contract pursuant to section 1. The office, with the advice and assistance of the Independent Review Advisory Committee, established under section 4 and referred to in this Part as "the advisory committee," and in consultation with and with the approval of the joint standing committee, shall:

1. Develop and administer a request for proposals process in accordance with section 3;
2. Administer the contract entered into pursuant to section 1, including monitoring the research and technical assistance entity's performance in meeting deadlines, providing deliverables pursuant to sections 5 and 6 and complying with other terms of the contract; and
3. Within available resources, provide other assistance to the joint standing committee relating to the contract and the purposes of this Part.

**Sec. VVVV-3. Request for proposals; standards and selection process.** The office, with the advice and assistance of the advisory committee, and in consultation with and with the approval of the joint standing committee, shall administer a request for proposals process in accordance with this section.

1. The qualifications of a research and technical assistance entity submitting a proposal must include, but are not limited to, the financial, technical and operational capacity of the entity to conduct state-level education policy research and fiscal analysis, as demonstrated by the entity's professional experience and expertise.

2. With the approval of the joint standing committee, the office shall issue a request for proposals and publish notice of the request on the Legislature's publicly accessible website and through advertisements in 2 or more public newspapers circulated wholly or in part in the State and may provide any further notice of the request to any other media or entities, as approved by the joint standing committee. The notice must provide that the office will accept, for 30 days after the first date of publication, proposals from qualified research and technical assistance entities that meet the standards approved by the joint standing committee.

3. After proposals have been received and the period for accepting proposals has expired, the office, with the advice and counsel of the advisory committee, shall evaluate the proposals and present a ranking of or recommendations regarding the proposals to the joint standing committee. The joint standing committee shall review the recommendations and choose the proposal it wishes to accept. The joint standing committee shall notify the Executive Director of the Legislative Council of its selection of a proposal. The executive director shall execute a contract with the selected research and technical assistance entity on behalf of the Legislature.

4. Notwithstanding the Maine Revised Statutes, Title 1, section 402, except for the name and mailing address of a research and technical assistance entity that submits a proposal, the proposal and all other materials prepared, used or submitted in connection with the proposal are confidential and are not subject to public review until the period for accepting proposals has expired.

**Sec. VVVV-4. Independent Review Advisory Committee.** The Independent Review Advisory Committee is established to advise the office and joint standing committee on matters related to developing a request for proposals and administering the contract entered into pursuant to this Part. The advisory committee consists of the following members:

1. The Commissioner of Education or the commissioner's designee;
2. The Commissioner of Health and Human Services or the commissioner's designee;
3. One member who is a contracted service provider of early intervention and free, appropriate public education services appointed by the President of the Senate from a list provided by the Maine Association for Community Service Providers;
4. One member who is a representative of a Head Start agency or program, representing Head Start programs in the State appointed by the President of the Senate from a list provided by the Maine Head Start Directors Association;

5. One member who is a teacher in an early childhood education program for children 4 years of age that includes coordination of programs and services for eligible children within a public elementary school from a large school administrative unit appointed by the President of the Senate from a list provided by the Maine Education Association;

6. One member who is a principal of a public elementary school of an urban school administrative unit that has implemented an early childhood education program for children 4 years of age that includes coordination of programs and services for eligible children appointed by the President of the Senate from a list provided by the Maine Principals' Association;

7. One member appointed by the President of the Senate from a list provided by the Maine Developmental Disabilities Council, established in the Maine Revised Statutes, Title 5, section 12004-I, subsection 66;

8. One member representing a statewide association of speech, language and hearing therapists appointed by the President of the Senate from a list provided by the Maine Speech Language Hearing Association;

9. One member who is a parent of a child with a disability between 3 years of age and 5 years of age appointed by the Speaker of the House from a list provided by the Maine Parent Federation;

10. One member who is a representative of a child care program appointed by the Speaker of the House from a list provided by the Maine Association for the Education of Young Children;

11. One member who is a special education director from a small school administrative unit appointed the Speaker of the House from a list provided by the Maine Administrators of Services for Children with Disabilities;

12. One member who is a superintendent of a rural school administrative unit that has implemented an early childhood education program for children 4 years of age that includes coordination of programs and services for eligible children appointed by the Speaker of the House from a list provided by the Maine School Superintendents Association; and

13. One member representing a statewide association of occupational therapists appointed by the Speaker of the House from a list provided by the Maine Occupational Therapy Association.

The advisory committee shall elect a chair from among its members. The office shall provide to the members of the joint standing committee notice of the meetings of the office with the advisory committee so that members of the joint standing committee may attend.

**Sec. VVVV-5. Scope of the review.** The contract entered into pursuant to section 1 must require an objective evaluation of the State's early childhood special education services from birth to 5 years of age. The evaluation must include, but is not limited to, comparisons between this State and other comparable states and an implementation plan for the transition of services from the Child Development Services System under the Maine Revised Statutes, Title 20-A, section 7209 to local school administrative units and must address the following:

1. National trends and relevant models of governing and delivering early childhood special education systems in other states and jurisdictions that hold the potential for enhancing the effectiveness, efficiency or accountability of the early childhood special education system in the State;

2. The short-term and long-term costs and benefits of the proposed plan to restructure the Child Development Services System as presented to the Legislature in An Act To Reorganize the Provision of Services for Children with Disabilities from Birth to 5 Years of Age, L.D. 1715 from the First Regular Session of the 129th Legislature;

3. The impact that the proposed plan will have on the following:

A. Current Child Development Services System staff, including but not limited to the potential impact on staff retirement and how any negative impact on staff retirement can be reduced or eliminated and whether Child Development Services System employees would become employees of the local school administrative unit or the State;

B. Current school administrative unit staff;

C. The provision of services for children birth to 3 years of age; and

D. Due process complaints;

4. The development of recommendations for an early childhood special education services program plan for the State, which must include, but is not limited to:

A. Models of best practices;

B. Fiscally sound budget forecasting, including all possible revenue streams and updated costs;

C. Transportation services;

D. Data systems, including a billing system, a system that allows coordination with the MaineCare program and a case management documentation system;

E. A timeline for the implementation of the plan under this section;

F. A procedure for data collection and analysis conducted by the Maine Education Policy Research Institute;

G. A method for assessing a school administrative unit's capacity for implementing early childhood special education programs;

H. Training requirements for service providers and leaders;

I. A public information communication strategy for implementation of the plan;

J. Identification of potential revisions to the Department of Health and Human Services rule Chapter 101: MaineCare Benefits Manual; and

K. Workforce capacity, including but not limited to the availability of certified teachers; and

5. A step-by-step implementation plan for the transition of special education services for children from birth to 3 years of age to the Department of Education and a step-by-step implementation plan for the transition of special education services for children 3 years of age to 5 years of age to local school administrative units, including but not limited to the resources required, both human and financial, and a detailed timeline.

**Sec. VVVV-6. General requirements of the review.** The contract entered into pursuant to section 1 must require:

1. A review of previous studies and available data related to early childhood special education, including but not limited to the findings and recommendations of the Subcommittee To Study Early Childhood Special Education in its January 2007 report and the findings and recommendations of the Office of Program Evaluation and Government Accountability in its July 2012 report on child development services; and

2. The selected research and technical assistance entity to provide opportunities for input from education stakeholder groups in the State as part of its evaluation.

The Department of Education, the Department of Administrative and Financial Services, Bureau of Revenue Services and the Education Research Institute established in the Maine Revised Statutes, Title 20-A, section 10 shall provide the selected research and technical assistance entity with access to previous reports on school funding in the State and access to database information necessary to carry out the evaluation.

**Sec. VVVV-7. Preliminary and final reports.** The research and technical assistance entity selected to conduct the independent review pursuant to this Part shall present a preliminary report of the results of the review under sections 5 and 6 to the joint standing committee no later than April 1, 2020. The selected research and technical assistance entity shall present a final report to the joint standing committee by December 1, 2020. The joint standing committee of the Legislature having jurisdiction over education matters may submit a bill relating to the final report to the First Regular Session of the 130th Legislature.

**Sec. VVVV-8. Committee meetings authorized.** The joint standing committee may meet up to 4 times to carry out its responsibilities under this Part.

**Sec. VVVV-9. Transfer from Fund for the Efficient Delivery of Educational Services, Other Special Revenue Funds account; General Fund unappropriated surplus; fiscal year 2019-20.** Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$200,000 from the Fund for the Efficient Delivery of Educational Services, Other Special Revenue Funds account within the Department of Education to the General Fund unappropriated surplus no later than July 31, 2019.

**Sec. VVVV-10. Transfer from Fund for the Efficient Delivery of Educational Services, Other Special Revenue Funds account; General Fund unappropriated surplus; fiscal year 2020-21.** Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$300,000 from the Fund for the Efficient Delivery of Educational Services, Other Special Revenue Funds account within the Department of Education to the General Fund unappropriated surplus no later than July 31, 2020.

## **PART WWWW**

**Sec. WWW-1. Allocation to fund county and regional jails.** The additional one-time funding of \$3,000,000 in fiscal year 2019-20 and \$3,000,000 in fiscal year 2020-21 provided pursuant to Part A of this Act to the Department of Corrections, County Jail Operations Fund for county and regional jails to offset unusually high costs in the jails must be allocated as provided in this section.

**1. Fiscal year 2019-20.** The \$3,000,000 appropriated in fiscal year 2019-20 must be allocated to jails to offset shortfalls and unanticipated expenses incurred in fiscal year 2018-19 as specified in this subsection.

A. The amount of \$2,898,761 must be allocated to the following jails in the following manner:

- (1) To Androscoggin County Jail, \$354,895;
- (2) To Aroostook County Jail, \$270,916;
- (3) To Cumberland County Jail, \$298,069;
- (4) To Franklin County Jail, \$167,453;
- (5) To Hancock County Jail, \$120,000;
- (6) To Oxford County Jail, \$691,718;
- (7) To Piscataquis County Jail, \$225,626;
- (8) To Somerset County Jail, \$484,265;
- (9) To Washington County Jail, \$125,819; and
- (10) To York County Jail, \$160,000.

B. The Department of Corrections shall use the remaining \$101,239 to reimburse county and regional jails for unexpected expenses, as documented by the jails to the Department of Corrections, that cause expenditures in fiscal year 2019-20 that are not anticipated by the jails and that are in excess of the budgets of the jails and the amounts listed in paragraph A, subparagraphs (1) to (10).

C. Funds provided under this subsection that are not expended by the jails during fiscal year 2019-20 lapse to the Department of Corrections, County Jail Operations Fund for use in a future year.

**2. Fiscal year 2020-21.** The \$3,000,000 appropriated in fiscal year 2020-21 must be allocated to county and regional jails to offset shortfalls and unanticipated expenses incurred in fiscal year 2019-20 as specified in this subsection.

A. For fiscal year 2020-21, the \$3,000,000 appropriation must be distributed among the jails to provide funding for expenses incurred by those jails in excess of budgeted expenses actually paid or obligations incurred during fiscal year 2019-20. For the purpose of calculating shortfalls and unanticipated expenses, the Maine Sheriffs' Association and Maine County Commissioners Association shall submit to the Commissioner of Corrections by June 1, 2020 signed statements of the jails' budgets, revenues and expenditures and incurred obligations for fiscal year 2019-20.

B. By June 7, 2020, the Maine Sheriffs' Association and Maine County Commissioners Association shall submit a compilation of the signed statements of the jail budgets along with the submitted financial information to the Commissioner of Corrections.

C. By July 1, 2020, the Commissioner of Corrections shall direct that payment be made to the jails for their shortfalls and unanticipated expenses up to a total of \$3,000,000.

If the shortfalls and unanticipated expenses exceed \$3,000,000, the payments to the jails must be reduced on a pro rata basis. If the shortfalls and unanticipated expenses do not exceed \$3,000,000, any remaining funds must lapse to the County Jail Operations Fund for use in a future year.

**PART XXXX**

**Sec. XXXX-1. Department of Health and Human Services to amend rules; Maine Veterans' Homes.** The Department of Health and Human Services shall amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 67, Principles of Reimbursement for Nursing Facilities to allocate a supplemental payment of \$750,000 in fiscal year 2019-20 and fiscal year 2020-21 to the Maine Veterans' Homes to offset budget shortfalls. The department, in its rulemaking, shall determine a methodology that allocates funding in a manner that addresses Maine Veterans' Homes shortfalls on a basis proportional to the shortfall of each Maine Veterans' Homes nursing facility. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

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

**HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

**Nursing Facilities 0148**

Initiative: Provides one-time appropriations and allocations to the Department of Health and Human Services to provide a supplemental payment in both fiscal year 2019-20 and 2020-21 to Maine Veterans' Homes nursing facilities.

<b>GENERAL FUND</b>	<b>2019-20</b>	<b>2020-21</b>
All Other	\$750,000	\$750,000
<b>GENERAL FUND TOTAL</b>	<b>\$750,000</b>	<b>\$750,000</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>2019-20</b>	<b>2020-21</b>
All Other	\$1,332,177	\$1,321,823
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$1,332,177</b>	<b>\$1,321,823</b>

**PART YYYY**

**Sec. YYYY-1. 36 MRSA §1760, sub-§26-A** is enacted to read:

**26-A. Certain watercraft purchased by incorporated nonprofit transportation companies.** Sales of watercraft to an incorporated nonprofit transportation company that has a written understanding with a municipality that the watercraft will be available at all times to transport an emergency medical services patient from an island to a licensed ambulance service on the mainland.

**Sec. YYYY-2. Retroactivity.** This Part applies retroactively to purchases made on or after January 1, 2019.

## **PART ZZZZ**

**Sec. ZZZZ-1. 30-A MRSA §6006-F, sub-§3, ¶A,** as amended by PL 2019, c. 158, §2, is further amended to read:

A. To make loans to school administrative units for school repair and renovation.

(1) The following repair and renovation needs receive Priority 1 status:

(a) Repair or replacement of a roof on a school building;

(b) Bringing a school building into compliance with the federal Americans with Disabilities Act, 42 United States Code, Section 12101 et seq.;

(c) Improving air quality in a school building;

(d) Removing or abating hazardous materials in a school building, including, but not limited to, water lead abatement or mitigation pursuant to Title 22, section 2604-B; and

(f) Undertaking other health, safety and compliance repairs, including installations or improvements necessary to increase school facility security.

(2) Repairs and improvements related to a school building structure, windows and doors and water or septic systems, other than water lead abatement or mitigation pursuant to Title 22, section 2604-B, receive Priority 2 status.

(3) Repairs and improvements related to energy and water conservation receive Priority 3 status.

(4) Upgrades of learning spaces in school buildings, including renovations to retrofit learning spaces for public preschool programs, receive Priority 4 status.

(5) The Commissioner of Education may approve other necessary repairs;

## **PART AAAAA**

**Sec. AAAAA-1. 20-A MRSA §15688-A, sub-§1**, as repealed and replaced by PL 2017, c. 420, §8, is amended to read:

**1. Career and technical education program components.** Beginning in fiscal year 2018-19, the allocation for career and technical education centers and career and technical education regions is based upon a model that recognizes program components that have been approved by the department pursuant to chapter 313 for:

A. Direct instruction. The direct instruction component includes personnel costs for teachers, education technicians for programs and clinical supervisors for health care programs. The allocation for direct instruction is the sum of the costs as determined based on the following components, which the commissioner shall determine annually:

(1) A teacher salary matrix. In determining the teacher salary matrix for each program, the commissioner shall give consideration to the most recent available data regarding years of education experience and years of professional work experience relevant to instructional assignment;

(2) Student-to-teacher ratios for each program;

(3) The number of education technicians required for purposes of instructional support, based on student enrollment and program requirements. The commissioner shall calculate the education technician allocation by multiplying the number of education technicians required by the statewide average salary for full-time education technicians, based on the most recent available salary data, but shall ensure that each career and technical education center or career and technical education region is allocated at least one full-time education technician; and

(4) The clinical supervision staffing level necessary for each program requiring such staffing, based on student enrollment as determined pursuant to paragraph G;

B. Central administration. The central administration component includes personnel costs for directors, assistant directors and clerical staff working in career and technical education centers and career and technical education regions, as well as business managers working in career and technical education regions. The central administration allocation is the sum of:

(1) Costs for personnel for each career and technical education center and career and technical education region, as follows:

(a) A director, the allocation for which must be for one full-time equivalent;

(b) An assistant director, the allocation for which must be based on student enrollment as determined pursuant to paragraph G but may not exceed one full-time equivalent;

(c) Clerical staff, the allocation for which must be for at least one full-time equivalent, with additional clerical staff allocations based on student enrollment as determined pursuant to paragraph G;

(d) A career and technical education region business manager, the allocation for which must be for one full-time equivalent; and

(e) Benefit costs for employees in central administration, which must be calculated pursuant to section 15678, subsection 5, paragraph B; and

(2) Nonpersonnel costs, which the commissioner shall calculate annually based upon the relationship of the most recent available career and technical education expenditures for nonpersonnel costs to personnel costs;

C. Supplies and other expenditures such as purchased services, dues and fees for instructional programs. The allocation for supplies and other expenditures is the sum of:

(1) A per-program allocation for supplies, as determined by the commissioner based on the most recent available career and technical education expenditures amount, adjusted to the year prior to the allocation year; and

(2) A per-pupil allocation for each student in each career and technical education center and each career and technical education region, determined by the commissioner based on:

(a) The most recent available career and technical education expenditures amount, adjusted for inflation to the year prior to the allocation year; and

(b) Student enrollment, as determined pursuant to paragraph G;

D. Plant operation and maintenance, including all costs for operating and maintaining buildings and grounds. The commissioner shall determine the allocation for plant operation and maintenance costs for each career and technical education center and each career and technical education region by multiplying the square footage of the career and technical education center or career and technical education region building by an amount per square foot, as determined by the commissioner;

E. Other student and staff support, which includes costs for student services coordination, career preparation, instructional technology, professional development, student assessment and program safety. The other student and staff support allocation is the sum of the costs for:

(1) A counselor, the allocation for which must be for one full-time equivalent, to collaborate with sending school guidance counselors in order to maximize student participation at the middle school and high school grade levels;

(2) Career and technical education center or career and technical education region student services coordinators, the allocation for which must be based on student enrollment, as determined pursuant to paragraph G, but no less than one full-time equivalent;

(3) Benefit costs for employees under this paragraph, calculated pursuant to section 15678, subsection 5, paragraph B; and

(4) Instructional technology, staff professional development, student assessment and program safety. The commissioner shall calculate a per-pupil allocation for this allocation based upon student enrollment, as determined pursuant to paragraph G, and the relationship of the most recent available career and technical education expenditures for these costs to total costs, adjusted to the year prior to the allocation year;

F. Equipment provided pursuant to subsection 6; and

G. Student enrollment, which is determined as follows.

(1) For each program or plan approved pursuant to chapter 313 that has 3 years of attending student counts on October 1st, student enrollment is a 3-year average of the attending student counts on October 1st for that program or plan.

(2) For each program or plan approved pursuant to chapter 313 that is not governed by subparagraph (1), including a new program or plan approved pursuant to chapter 313, student enrollment must be based on the estimated attending student count submitted in accordance with the application for the program or plan approval. This estimated attending student count must be used until the program or plan has 3 consecutive years of actual attending student counts on October 1st.

TheIn fiscal year 2019-20, the total allocation for a career and technical education center or career and technical education region is the sum of the components in paragraphs A to E, except if the sum of the components in paragraphs A to E is less than the most recent expenditure data, as adjusted for inflation to the year prior to the allocation year, the career and technical education center or career and technical education region may not receive less than the adjusted expenditure, and if the sum of the components in paragraphs A to E is more than 5% greater than the most recent expenditure data, as adjusted for inflation to the year prior to the allocation year, then the career and technical education center or career and technical education region may not receive more than the adjusted expenditures plus 5%.

In fiscal year 2020-21, fiscal year 2021-22 and fiscal year 2022-23, the total allocation for a career and technical education center or career and technical education region is the sum of the components in paragraphs A to E, except if the sum of the components in paragraphs A to E is less than the most recent expenditure data, as adjusted for inflation to the year prior to the allocation year, or more than the most recent expenditure data, as adjusted for inflation to the year prior to the allocation year, the total allocation must be determined pursuant to subsection 1-A.

Beginning in fiscal year 2023-24, the total allocation for a career and technical education center or career and technical education region is the sum of components in paragraphs A to E.

The commissioner shall authorize monthly payment of allocations to career and technical education centers and career and technical education regions in an amount equal to 1/12 of the total allocation. Payments for satellite programs as approved pursuant to chapter 313 must be made within this schedule to the responsible career and technical education center or career and technical education region; it is the responsibility of the career and technical education center or career and technical education region to provide the state support for the approved satellite program to the school administrative unit that operates the approved satellite program.

If a school administrative unit operating a career and technical education center or career and technical education region has any unexpended funds at the end of the fiscal year, these funds must be carried forward for the purposes of career and technical education.

**Sec. AAAAA-2. 20-A MRSA §15688-A, sub-§1-A** is enacted to read:

**1-A. Transition period for career and technical education program components.**

In fiscal year 2020-21, fiscal year 2021-22 and fiscal year 2022-23, referred to in this subsection as "the transition period," the total allocation for career and technical education centers and career and technical education regions is subject to a transition period adjustment to align the total allocation for career and technical education centers and career and technical education regions with the career and technical education program components in subsection 1.

A. In each fiscal year of the transition period, the commissioner shall identify each career and technical education center and career and technical education region for which the sum of the components in subsection 1, paragraphs A to E is less than the most recent expenditure data, as adjusted for inflation to the year prior to the allocation year, or more than the most recent expenditure data, as adjusted for inflation to the year prior to the allocation year.

B. In each fiscal year of the transition period, the commissioner shall calculate an adjustment to the total allocation for each career and technical education center and career and technical education region identified pursuant to paragraph A. The calculation must be based on the amounts necessary to transition the career and technical education center or career and technical education region to a total allocation that is equal to the sum of the components in subsection 1, paragraphs A to E by fiscal year 2023-24. In making this calculation, the commissioner shall ensure that the annual adjustment calculated pursuant to this paragraph is reasonably similar over the course of the transition period.

C. During each fiscal year of the transition period, the commissioner shall adjust the total allocation for each career and technical education center and career and technical education region identified pursuant to paragraph A in accordance with the calculation under paragraph B.

## **PART BBBBB**

### **Sec. BBBBB-1. Commission To Study Long-term Care Workforce Issues.**

Notwithstanding Joint Rule 353, the Commission To Study Long-term Care Workforce Issues, referred to in this section as "the commission," is established.

**1. Members.** The commission consists of up to 18 members as follows:

A. Two members of the Senate appointed by the President of the Senate, including a member from each of the 2 parties holding the largest number of seats in the Legislature;

B. Three members of the House of Representatives appointed by the Speaker of the House, including a member from each of the 2 parties holding the largest number of seats in the Legislature; and

C. Up to 13 members who possess expertise in the subject matter of the study as follows:

(1) A direct care worker appointed by the President of the Senate;

(2) A provider of home-based long-term care who is a member of a statewide association representing home-based long-term care providers appointed by the President of the Senate;

(3) A representative of a statewide association representing nonprofit housing and senior service programming appointed by the President of the Senate;

(4) A representative of an organization providing services to individuals with intellectual disabilities and autism including employment services and long-term home supports appointed by the President of the Senate;

(5) A provider of facility-based long-term care who is a member of a statewide association representing facility-based long-term care providers appointed by the Speaker of the House;

- (6) A representative of an organization providing statewide homemaker services through the state-funded independent support services program within the Department of Health and Human Services appointed by the Speaker of the House;
- (7) A representative of an institution of higher education engaged in workforce development appointed by the Speaker of the House;
- (8) A representative of a service coordination agency providing service coordination to people receiving home-based and community-based long-term care appointed by the Speaker of the House;
- (9) A representative of an organization promoting independent living for individuals with disabilities appointed by the Speaker of the House;
- (10) A representative of a business that acts as a labor intermediary helping unemployed and underemployed people obtain employment appointed by the Speaker of the House;
- (11) The executive director of the long-term care ombudsman program described under the Maine Revised Statutes, Title 22, section 5106, subsection 11-C;
- (12) The Commissioner of Health and Human Services, or the commissioner's designee, who may be invited to participate; and
- (13) The Commissioner of Labor, or the commissioner's designee, who may be invited to participate.

**2. Chairs and subcommittees.** The first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission. The chairs of the commission are authorized to establish subcommittees to work on the duties listed in subsection 4 and to assist the commission. The subcommittees must be composed of members of the commission and interested persons who are not members of the commission and who volunteer to serve on the subcommittees without reimbursement.

**3. Appointments.** All appointments must be made no later than 30 days following the effective date of this Part. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members and after adjournment of the First Regular Session of the 129th Legislature, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the effective date of this Part a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.

**4. Directive of commission.** The commission shall study and make policy recommendations in each of the following areas:

- A. Measuring current demand for direct care workers and projecting future needs;
- B. Developing a campaign and statewide recruitment strategies to encourage more people to work in facility-based and home-based long-term care;
- C. Supporting career ladders throughout various long-term care settings;
- D. Identifying education needs and methods to fill education needs for direct care workers;
- E. Identifying barriers to hiring and methods to overcome barriers to hiring;

F. Developing strategies to improve the quality of long-term care jobs; and

G. Increasing opportunities for shared staffing among long-term care providers.

The commission shall make policy recommendations for public and private funding mechanisms to implement the commission's recommendations.

**5. Program.** The commission shall make recommendations for the establishment of a program that will contribute to long-term care direct care workers' postsecondary education in related fields.

**6. Pilot program.** The commission shall make recommendations for the establishment of a pilot program to pool part-time home care workers' hours for purposes of providing greater employment opportunity and obtaining employee benefits.

**7. Staffing.** The Legislative Council shall provide necessary staffing services to the commission, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session.

**8. Administration.** The Commissioner of Health and Human Services, the State Auditor and the State Budget Officer shall provide necessary information and assistance to the commission as required for the commission's duties.

**9. Report.** No later than November 7, 2019, the commission shall submit a report that includes its findings and recommendations pursuant to subsections 4 to 6, including suggested legislation, to the Joint Standing Committee on Health and Human Services. The joint standing committee may report out a bill regarding the subject matter of the report to the Second Regular Session of the 129th Legislature.

## PART CCCCC

**Sec. CCCCC-1. 25 MRSA §5101**, as amended by PL 2017, c. 407, Pt. A, §104, is further amended to read:

### § 5101. Substance Use Disorder Assistance Program

**1. Substance Use Disorder Assistance Program.** The Substance Use Disorder Assistance Program, referred to in this chapter as "the program," is established to support persons with presumed substance use disorder by providing grants to municipalities and counties to carry out ~~projects~~programs designed to reduce substance use, substance use-related crimes and recidivism.

**2. Eligibility; program targets; programs.** Grants may be awarded to:

A. Municipal or county governments or regional jails for ~~projects~~programs designed to assist persons with presumed substance use disorder by ~~diverting~~using liaison strategies both before and after arrest to refer alleged low-level offenders into community-based treatment and support services. ~~Projects~~Programs may include, but are not limited to:

(1) Referral of ~~program~~ participants in the Substance Use Disorder Assistance Program under subsection 1 to evidence-based treatment programs, including medically assisted treatment; and

(2) Provision of case management services to ~~program~~ participants in the Substance Use Disorder Assistance Program under subsection 1 in order to secure appropriate treatment and support services such as housing, health care, job training and mental health services for ~~program~~ participants in the Substance Use Disorder Assistance Program; and

B. County governments ~~or regional jails~~ for ~~projects~~programs in county ~~or regional jails~~ designed to ~~assist~~facilitate the accessing by persons with presumed substance use disorder of post-adjudication diversion and reentry programs. ~~Projects~~Programs may include, but are not limited to:

(1) Provision of evidence-based treatment programs, including medically assisted treatment, to jail inmates; and

(2) Provision of case management or other support services to ~~program~~ participants in the Substance Use Disorder Assistance Program under subsection 1 to assist in transition from jail upon release.; and

C. Municipal governments for programs designed to facilitate pathways to community-based treatment, recovery and support services for persons with substance use disorder who present themselves to municipal law enforcement agencies and request assistance and referral to evidence-based treatment programs, including medically assisted treatment.

**3. Requirements.** A grant application for a ~~project~~program described in subsection 2 must include the following:

A. A statement of purpose and measurable goals for the ~~project~~program and use for the funds; and

B. The elements of the ~~project~~program, which must include the targeted population, the nature of services or assistance to be provided and expected outcomes;.

C. ~~For diversion projects, a statement of the municipality's or county's diversion policy, including criteria for selecting participants for the project;~~

D. ~~A review of other substance use disorder services available in the applicant municipality or county and communities adjacent to the applicant municipality or county and a statement of the unmet needs to be addressed by the project;~~

E. ~~A review of efforts to collaborate among relevant law enforcement agencies, treatment providers, harm reduction services, recovery support services and other community resources and a summary of collaborative approaches included in the project, if any; and~~

~~F. A summary of data to be collected to assess the effectiveness of the project and the methodology that will be used to make that assessment. The data to be collected must include measurements of the long-term health, treatment and criminal justice involvement outcomes for participants and must be included in reports filed under subsection 6 as part of a rigorous evaluation process.~~

**4. Selection of grant recipients.** The Commissioner of Public Safety shall review applications submitted by municipalities ~~and~~ counties ~~and regional jails~~ for grants under this chapter. Preference must be given to collaborative approaches that include treatment providers or community-based organizations. The following steering committee shall advise the Commissioner of Public Safety in selecting grant recipients. ~~The steering committee consists of the Commissioner of Corrections or the commissioner's designee and representatives of the following organizations, programs and associations selected by the Commissioner of Public Safety from suggestions provided by the organizations, programs and associations: a statewide organization of police chiefs; a statewide organization of sheriffs; a statewide organization representing physicians; a statewide organization representing prosecutors; a statewide organization representing providers of legal services for the indigent; peer recovery programs; and harm reduction associations.~~

**5. Administration of funds.** The policy board established in this State to carry out the State's responsibilities under the federal Justice Assistance Act of 1984, the federal Anti-Drug Abuse Act of 1986, the federal Anti-Drug Abuse Act of 1988 and the federal Violent Crime Control and Law Enforcement Act of 1994, known as "the Justice Assistance Council," shall administer grant funds appropriated for use under this chapter ~~and disburse the funds to municipalities, counties and regional jails selected under subsection 4.~~ The department may retain up to 5% of funds to cover administrative expenses.

**6. Reports.** A recipient of a grant under subsection 4 shall report to the Commissioner of Public Safety annually on the anniversary date of the grant award regarding the status of the ~~project~~program for which the grant was awarded. The report must include a description of how the grant funds were spent, the results of the ~~project~~program and any recommendations for modification of the ~~project~~program, including any available information concerning the ~~project's~~program's effectiveness in reducing substance use disorder and recidivism.

**Sec. CCCCC-2. PL 2015, c. 481, Pt. E, §3** is repealed.

## PART DDDDD

**Sec. DDDDD-1. Carrying provision; Department of Public Safety, Administration - Public Safety, General Fund account.** Notwithstanding any provision of law to the contrary, the State Controller shall carry forward from the Substance Use Disorder Assistance Program \$500,000 in the All Other line category at the end of fiscal year 2018-19 and \$250,000 at the end of fiscal year 2019-20 to the next fiscal years in the Department of Public Safety, Administration - Public Safety program, General Fund account to be used within the Substance Use Disorder Assistance Program in order to provide \$750,000 in grants to eligible programs that divert alleged low-level offenders into community-based treatment and support services in fiscal years 2019-20 and 2020-21.

## **PART EEEEE**

**Sec. EEEEE-1. Transfers from available fiscal year 2019-20 Other Special Revenue Funds balances to Department of Marine Resources, Nonfederal Grants, Other Special Revenue Funds account.** At the close of fiscal year 2018-19, the State Controller shall transfer \$1,035,000 from available balances in Other Special Revenue Funds accounts within the Department of Environmental Protection, the Department of Marine Resources or the Department of Education to the Department of Marine Resources, Nonfederal Grants, Other Special Revenue Funds account. On or before June 30, 2019, the Commissioner of Administrative and Financial Services shall determine from which accounts within the Department of Environmental Protection, the Department of Marine Resources or the Department of Education the funds will be transferred so that the sum equals \$1,035,000 and notify the State Controller and the Joint Standing Committee on Appropriations and Financial Affairs of the amounts to be transferred from each account.

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

## **SUMMARY**

### **PART A**

This Part makes appropriations and allocations of funds for the 2018-2019 biennium

### **PART B**

This Part makes appropriations and allocations of funds for approved reclassifications and range changes.

### **PART C**

This Part establishes for fiscal year 2019-20 the total cost of education from kindergarten to grade 12, the state contribution and the annual target state share percentage.

### **PART D**

This Part renames the Governor's Office of Policy and Management as the Governor's Office of Policy Innovation and the Future.

### **PART E**

This Part authorizes the Maine Governmental Facilities Authority to issue additional securities in an amount up to \$55,000,000 to pay for the costs of capital repairs and improvements to and construction of state-owned facilities and hazardous waste cleanup on state-owned properties.

### **PART F**

This Part revises the selection of the chair of the Revenue Forecasting Committee, beginning in calendar year 2019, to designation by the 6 members, from among the members excluding the State Budget Officer, on a rotating basis for a 2-year term. The exclusion is to avoid a conflict with the duties of the State Budget Officer established in current law that include convening a meeting of the Revenue Forecasting Committee if new information becomes available.

### **PART G**

This Part implements background investigations for certain individuals with a business need to receive federal tax information, in order to meet United States Internal Revenue Service standards. This Part also expands background checks to apply to all employees of the Department of Administrative and Financial Services, Maine Revenue Services.

This Part also corrects numerous lettering conflicts that occurred when 2 separate public laws enacted substantively different laws with the same paragraph letters.

### **PART H**

This Part provides property tax relief to the residents of this State in the following ways.

This Part sets the transfer to the Local Government Fund for state-municipal revenue sharing at 3% in fiscal year 2019-20 and 3.75% in fiscal year 2020-2021. A municipality that has already established its budget for 2019 is restricted in how it can spend the additional amount of revenue sharing received above the amount of revenue sharing assumed in that municipality's budget and the amount of revenue sharing received pursuant to this Part. That excess revenue may be spent without obtaining approval through that municipality's budget process if the revenue is used for repair and maintenance of roads and bridges or for the direct reduction of the mill rate in that municipality.

This Part also increases for property tax years beginning April 1, 2020 the value of the homestead exemption benefit under the Maine resident homestead property tax exemption from \$20,000 to \$25,000 and increases the state reimbursement to municipalities for the lost property tax revenue from 62.5% to 70%.

This Part changes the formula for calculation of the property tax fairness credit to expand the credit to residents whose property taxes or rent constituting property taxes on homestead property exceeds 5%, rather than 6% in the current law, of the residents' income for tax years beginning on or after January 1, 2020.

### **PART I**

This Part provides funding from the Salary Plan program for salary increases for positions in the Department of Administrative and Financial Services, Maine Revenue Services classified as a Tax Examiner, Tax Examiner II, Senior Tax Examiner and Tax Section Manager for fiscal years 2019-20 and 2020-21.

### **PART J**

This Part transfers \$77,071.96 from the Department of Administrative and Financial Services, Elderly Tax Deferral Program, Other Special Revenue Funds account, the balance remaining in the

program, to the General Fund unappropriated surplus. There are no participants in the program so the account is no longer needed.

#### **PART K**

This Part continues authorization for each individual tax expenditure provided by statute.

#### **PART L**

This Part continues the voluntary employee incentive program through the 2020-2021 biennium.

#### **PART M**

This Part authorizes the State Controller to carry any remaining balances in the Debt Service - Government Facilities Authority program in the Department of Administrative and Financial Services in each year of the 2020-2021 biennium into the following fiscal year.

#### **PART N**

This Part sets the attrition rate for the 2020-2021 biennium at 5% from 1.6% for judicial branch and executive branch departments and agencies.

#### **PART O**

This Part authorizes the Department of Administrative and Financial Services to enter into financial agreements related to the modernization of the tax collection system, which must be capable of collecting data that facilitates evaluation of tax expenditures, for amounts not to exceed \$46,400,000 in principal costs and not to exceed 7 years in duration.

#### **PART P**

This Part authorizes the Department of Administrative and Financial Services to enter into financing arrangements in fiscal years 2019-20 and 2020-21 for the acquisition of motor vehicles for the Central Fleet Management Division.

#### **PART Q**

This Part authorizes the Department of Administrative and Financial Services, on behalf of the Department of Public Safety, to enter into financing agreements in fiscal years 2019-20 and 2020-21 for the acquisition of motor vehicles for the State Police.

#### **PART R**

This Part transfers \$6,000,000 from the Reserve for General Fund Operating Capital to the General Fund unappropriated surplus in fiscal year 2018-19.

#### **PART S**

This Part authorizes the Department of Administrative and Financial Services to enter into financing arrangements related to the modernization of computer hardware, software and other systems to support

a child welfare system for amounts not to exceed \$14,000,000 in principal costs and not to exceed 7 years in duration.

#### **PART T**

This Part allows money deposited in the animal welfare auxiliary fund to be used for costs associated with Department of Agriculture, Conservation and Forestry laboratory services needed to control or eradicate diseases affecting equines.

#### **PART U**

This Part consolidates accounts to recognize administrative efficiencies and authorizes a transfer of residual cash remaining in the Harness Racing Promotional Fund account that is being consolidated with the Operating Account within the Harness Racing Commission program.

#### **PART Y**

This Part eliminates the Maine State Parks and Recreational Facilities Development Fund and the Maine State Parks Fund and replaces the 2 funds with the new Parks General Operations Fund. It also makes the Forest Recreation Resource Fund and the State Parks Improvement Fund separate units of the Parks General Operations Fund and authorizes a transfer of any remaining balance in these accounts to the Parks General Operations Fund account.

#### **PART AA**

This Part consolidates the Allagash Wilderness Waterway Permanent Endowment Fund within the Parks - General Operations program and authorizes a transfer of any remaining balance in the Allagash Wilderness Waterway Permanent Endowment Fund account, Other Special Revenue Funds to the Allagash Waterway account, Other Special Revenue Funds in the Parks - General Operations program.

#### **PART CC**

This Part renames the Geological Survey program the Geology and Resource Information program.

#### **PART DD**

This Part authorizes a transfer of any balances remaining in the Submerged Lands and Shore and Harbor accounts that were transferred to a new program.

#### **PART EE**

This Part authorizes a transfer of any remaining balance in the Boating Facilities Fund program to the Boating Facilities Fund account in the Off-road Recreational Vehicles Program within the Department of Agriculture, Conservation and Forestry.

#### **PART FF**

This Part authorizes a transfer of any remaining balance in the Municipal Planning Assistance program to the Geological Survey program within the Department of Agriculture, Conservation and Forestry.

#### **PART GG**

This Part authorizes a transfer of any remaining balance in the Coastal Island Registry account to the Submerged Lands Fund account in the Submerged Lands and Island Registry program within the Department of Agriculture, Conservation and Forestry.

#### **PART HH**

This Part authorizes a transfer of any remaining balance in the Floodplain Management program accounts to the accounts in the Geological Survey program within the Department of Agriculture, Conservation and Forestry.

#### **PART II**

This Part authorizes a transfer of any remaining balance in several accounts in the Department of Agriculture, Conservation and Forestry after consolidating the accounts in the Parks - General Operations program.

#### **PART JJ**

This Part authorizes a transfer of residual cash remaining in the Holbrook Island Sanctuary account, the Wolf Neck Woods State Park account and the Mackworth account to the Vaughan Woods State Park account in the Parks - General Operations program.

#### **PART KK**

This Part authorizes a one-time transfer of all funds in excess of \$500,000 from the unencumbered balance forward in the Personal Services line category in the Department of Agriculture, Conservation and Forestry, Division of Forest Protection, General Fund account to the Capital Expenditures line category in the Department of Agriculture, Conservation and Forestry, Division of Forest Protection, General Fund account to fund the overhaul of existing helicopters.

#### **PART LL**

This Part gives the Chief Medical Examiner authority to promote immediately a Medicolegal Death Investigator I to Medicolegal Death Investigator II as long as the Medicolegal Death Investigator I participates in training and education and demonstrates competencies for the higher classification.

#### **PART MM**

This Part authorizes the Department of Corrections to transfer, by financial order, funding in the Personal Services, All Other or Capital Expenditures line categories between accounts within the same fund for the purpose of paying departmental overtime expenses in fiscal years 2019-20 and 2020-21.

#### **PART NN**

This Part requires the Commissioner of Corrections to review the current organizational structure of the Department of Corrections to improve organizational efficiency and requires the State Budget Officer to transfer positions and available balances by financial order. The authorization to make these transfers is limited to the period of July 1st to December 1st of each fiscal year in the 2020-2021 biennium. Any transfers resulting in a mission change or facility closure must comply with the statutory requirements for legislative review.

#### **PART PP**

This Part establishes the Maine Office of Outdoor Recreation in the Department of Economic and Community Development, Office of Tourism. The office is headed by a director, who is responsible for strengthening Maine's outdoor recreation economy and coordinating the promotion of outdoor recreational activities in Maine with state agencies and the private sector in order to increase tourism and support statewide economic growth.

#### **PART QQ**

This Part does the following.

1. It requires the Department of Economic and Community Development to provide staff to the ConnectME Authority and requires that staff to serve as the central broadband planning board for the State.
2. It clarifies certain responsibilities of the ConnectME Authority.

#### **PART SS**

This Part changes the name of the Director of Policy and Programs in the Department of Education to the Director of Legislative Affairs.

#### **PART TT**

This Part adds a Chief of Staff and Operations position as a major policy-influencing position within the Department of Education appointed by the Commissioner of Education.

#### **PART UU**

This Part increases the minimum salary for certified teachers to \$35,000 in school year 2020-2021, \$37,500 in school year 2021-2022 and \$40,000 beginning with the 2022-2023 school year. A school administrative unit is required to provide the Department of Education annually the number of teachers eligible for the increase. Based on that information, the Commissioner of Education is required to provide to each school administrative unit the funds necessary to fund the incremental salary increases.

#### **PART VV**

This Part authorizes the Department of Education to enter into lease-purchase agreements for portable learning devices and support systems for students and educators for the learning technology program in fiscal years 2019-20 and 2020-21.

### **PART WW**

This Part eliminates the language that prohibits expenditures in the Maine Environmental Protection Fund above allocations approved by the Legislature. This allows allotment increases by financial order in the Maine Environmental Protection Fund when sufficient cash is available and the allotment increase is recommended by the State Budget Officer and approved by the Governor.

### **PART XX**

This Part increases from \$500 to \$3,500 the annual allowable reimbursement to the State Historian from the existing appropriation of the Maine Historic Preservation Commission.

### **PART YY**

This Part corrects the name of the Office of MaineCare Services program as it appears in statute.

### **PART ZZ**

This Part changes the household income eligibility guidelines in the elderly low-cost drug program from 175% to 185% of the federal poverty level.

### **PART AAA**

This Part repeals an obsolete section of the Maine Revised Statutes that relates to the former Department of Mental Health and Corrections.

### **PART CCC**

This Part repeals the law that allows the Department of Health and Human Services to administer a drug test to certain recipients of Temporary Assistance for Needy Families, or TANF, assistance and to deny TANF assistance to a person who tests positive for an illegal drug unless the person enrolls in a substance use disorder treatment program.

### **PART DDD**

This Part repeals the provision of law that establishes the Children's Mental Health Oversight Committee and fixes cross-references.

### **PART EEE**

This Part updates the base year for the hospital tax.

### **PART FFF**

This Part authorizes the Department of Health and Human Services to transfer available balances of appropriations between the MaineCare General Fund accounts for the 2020-2021 biennium.

### **PART GGG**

This Part authorizes the Department of Health and Human Services to transfer by financial order available Personal Services line category balances in the Office for Family Independence program and

the Office for Family Independence - District program to the All Other line category in either the Office for Family Independence program or the Office for Family Independence - District program in order to provide for information technology and related services.

### **PART HHH**

This Part does the following.

1. It authorizes the Department of Health and Human Services to transfer by financial order any available appropriations, including those in Personal Services, between MaineCare, MaineCare-related and non-MaineCare-related accounts.

2. It authorizes the Department of Health and Human Services to transfer by financial order available Personal Services balances in the Disproportionate Share - Dorothea Dix Psychiatric Center program, the Disproportionate Share - Riverview Psychiatric Center program and the Riverview Psychiatric Center program in order to provide flexibility in the payment of operational expenses.

### **PART III**

This Part authorizes the transfer of available Personal Services or All Other balances from the Department of Health and Human Services, Developmental Services - Community program account to the Crisis Outreach Program account for the 2020-2021 biennium.

### **PART JJJ**

This Part authorizes the Department of Health and Human Services to adopt emergency rules to implement any provisions of this legislation over which it has specific authority that has not been addressed by some other Part of this legislation without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or welfare.

### **PART KKK**

This Part requires the Department of Health and Human Services to conduct a study of the population covered under the expansion of Medicaid.

### **PART LLL**

This Part delays the increased funding of the Fiscal Stability Program until the 2022-2023 biennium.

### **PART MMM**

This Part transfers funds from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account to purchase one replacement aircraft engine in fiscal year 2019-20 and one replacement aircraft engine in fiscal year 2020-21.

### **PART NNN**

This Part provides for a cost-of-living adjustment of 3% for judges and justices of the state courts in each of the fiscal years 2019-20 and 2020-21, regardless of the cost-of-living adjustments linked to the Consumer Price Index.

#### **PART OOO**

This Part removes the Director of Labor Standards within the Department of Labor from salary range 86.

#### **PART PPP**

This Part removes obsolete dates. This Part also repeals the provision that requires the Department of Labor, Bureau of Rehabilitation Services to maintain a legal interpreting fund to reimburse attorneys for the costs of providing interpreting or computer-assisted real-time transcription 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.

#### **PART QQQ**

This Part amends the preference in state hiring that grants an interview to a person with a disability who meets the minimum qualifications for any open position in order to comply with the federal Americans with Disabilities Act. If the person is not selected for the position, the Department of Administrative and Financial Services, Bureau of Human Resources must provide guidance to the person regarding other available state positions for which the person might qualify. The bureau may also refer the person to the Department of Labor, Bureau of Rehabilitation Services for vocational rehabilitation services, including opportunities in the special appointment program.

#### **PART RRR**

This Part allows the Commissioner of Labor to enter into reciprocal agreements with other states or the Federal Government to recover overpayment of unemployment insurance benefits owed in this State.

#### **PART SSS**

This Part allows the Commissioner of Health and Human Services in consultation with the Superintendent of Insurance to apply for a waiver of applicable provisions of the federal Patient Protection and Affordable Care Act with respect to health insurance coverage in the State for the purposes of improving affordability. The commissioner may implement a state plan meeting the waiver requirements in a manner consistent with state and federal law, and the state plan may not increase cost sharing or reduce the comprehensiveness of coverage. The authorization to submit a waiver expires if a waiver application has not been submitted by June 30, 2022.

#### **PART TTT**

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

#### **PART UUU**

This Part modernizes laws concerning the Department of Labor, Bureau of Rehabilitation Services and 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 disabilities. This Part repeals the requirement that a person who is certified as being deaf, hard of hearing or late deafened and whose income is less than 135% of the federal poverty level must receive a discount of up to \$10 per month in the service charge for a device used to receive emergency alerts and repeals the provision of law that provides the Public Utilities Commission authority to transfer funds to support the discount.

#### **PART VVV**

This Part repeals the requirement that the Department of Labor 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 regarding participation in training programs and expenditures made for support services, such as dependant care costs and training materials for participants in training programs.

#### **PART WWW**

This Part removes a reporting date in order to allow the Department of Labor to align its state reporting with federal reporting requirements.

#### **PART XXX**

This Part increases the salary range of the Director, Office of Professional and Occupational Regulation position from range 88 to range 90 in the Department of Professional and Financial Regulation.

#### **PART YYY**

This Part transfers remaining balances in the Statewide Outreach account into the Bureau of Consumer Credit Protection account, both of which are within the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection program, to increase operational efficiency and maintain foreclosure operations.

#### **PART ZZZ**

This Part carries forward unexpended All Other funds as of June 30, 2020 in the Department of Secretary of State, Elections and Commissions program to the next fiscal year to be used as matching funds for the federal Help America Vote Act of 2002.

#### **PART AAAA**

This Part authorizes the State Controller to carry over the balances in the Office of Treasurer of State, Debt Service - Treasury program to the 2020-2021 biennium.

#### **PART BBBB**

This Part transfers \$14,500,000 from the Fund for a Healthy Maine dedicated revenue and \$14,500,000 from the unappropriated surplus of the General Fund to the MaineCare Stabilization Fund

during fiscal year 2018-19. This Part also authorizes a transfer from the MaineCare Stabilization Fund for MaineCare payments. The amount transferred from the MaineCare Stabilization Fund may not exceed \$29,000,000.

#### **PART CCCC**

This Part authorizes the Department of Health and Human Services to transfer available All Other balances of appropriations for the purpose of the information system modernization project in the office of aging and disability services, including the modernization of and merging of information systems within the Department of Health and Human Services, office of aging and disability services.

#### **PART DDDD**

This Part authorizes balances within the Department of Administrative and Financial Services, Central Administrative Applications program to carry forward balances in fiscal year 2018-19, fiscal year 2019-20 and fiscal year 2020-21.

#### **PART EEEE**

This Part corrects the budgeted deappropriation included in Public Law 2017, chapter 284, Part ZZZZZZ and authorizes the State Budget Officer to identify and transfer Personal Services savings to the Executive Branch Departments and Independent Agencies - Statewide program.

#### **PART FFFF**

This Part authorizes the Maine Health Data Organization to transfer by financial order available Personal Services balances up to \$290,000 to All Other in the Maine Health Data Organization, Other Special Revenue Funds account during the 2020-2021 biennium.

#### **PART GGGG**

This Part authorizes the State Budget Officer to calculate All Other savings in the Department of Health and Human Services General Fund account and transfer by financial order the All Other appropriations from each General Fund account to the Departmentwide program, General Fund account.

#### **PART HHHH**

This Part requires the state portion of funds that are recovered as a result of food supplement overpayments to be deposited into the Other Special Revenue Funds, Food Supplement Administration account.

#### **PART IIII**

This Part completes the changes necessary to transfer the State Economist to the Department of Administrative and Financial Services from the Governor's Office of Policy and Management, as begun by Public Law 2017, chapter 284, and removes references to the Office of Policy and Management.

#### **PART JJJJ**

This Part requires the transfer of \$19,800,000 in fiscal year 2018-19 from the unappropriated surplus of the General Fund to the Maine Budget Stabilization Fund.

#### **PART KKKK**

This Part authorizes an additional transfer amount of up to \$14,500,000 by June 30, 2019 from the Maine Budget Stabilization Fund to a General Fund reserve account established by the State Controller for the purpose of providing funding for the amounts in federal financial participation for Medicaid services and disproportionate share hospital payments related to the Riverview Psychiatric Center. Transfers from the reserve account may be made to the Department of Health and Human Services.

#### **PART LLLL**

This Part re-establishes and revises the purpose and oversight of the Downeast Correctional Facility and makes the superintendent of the Mountain View Correctional Facility the chief administrative officer of the Downeast Correctional Facility.

#### **PART MMMM**

This Part transfers the remaining funds in the cost recovery fund in the Public Utilities Commission to the unappropriated surplus of the General Fund in fiscal year 2019-20.

#### **PART NNNN**

This Part directs the State to fund the difference between federal reimbursements for reduced-price and free lunches in order to provide all children under 185% of the federal poverty level free lunch at school.

#### **PART OOOO**

This Part requires a transfer of \$18,000,000 in fiscal year 2018-19 from the unappropriated surplus of the General Fund to the Maine Municipal Bond Bank for the School Revolving Renovation Fund.

#### **PART PPPP**

This Part transfers funds from the unappropriated surplus of the General Fund to the Reserve for Indigent Legal Services program in fiscal year 2019-20 only.

#### **PART QQQQ**

This Part lapses unencumbered funds from the Legislature, General Fund accounts, as identified by the Executive Director of the Legislative Council, to the unappropriated surplus of the General Fund to offset additional General Fund costs from position changes for the 2020-2021 biennium.

#### **PART RRRR**

This Part directs the Department of Economic and Community Development to develop a strategic plan to recommend strategies for increased economic prosperity in the State. This Part establishes goals for the plan and directs the department to include an analysis of gaps in funding and policy in the plan. This

Part requires that the department establish a steering committee and a work team to guide the development of the plan. This Part requires the department to report on the plan to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business and provides the committee permission to report out related legislation in the Second Regular Session of the 129th Legislature.

#### **PART SSSS**

This Part, beginning January 1, 2020, requires the Public Utilities Commission to establish the statewide E-9-1-1 surcharge and the prepaid wireless E-9-1-1 surcharge but limits the surcharges to no more than 35¢ per month per line or number for the statewide E-9-1-1 surcharge and 35¢ per retail transaction for the prepaid wireless E-9-1-1 surcharge; those amounts are 10¢ less than in the current law. This Part requires the commission to establish the surcharges by routine technical rules or through other commission proceedings.

This Part, beginning January 1, 2020, also imposes a surcharge of 10¢ per month per line or number for the ConnectME Fund and requires the ConnectME assessment and ConnectME surcharge to be collected from customers on a monthly basis.

#### **PART TTTT**

This Part creates the Maine Economic Development Fund as a nonlapsing fund within the Department of Economic and Community Development to encourage and support economic and business growth, rural manufacturing and industrial site redevelopment and implementation of a strategic plan and requires the State Controller to transfer \$4,000,000 from the General Fund unappropriated surplus to the Maine Economic Development Fund no later than June 30, 2020.

#### **PART UUUU**

This Part provides that it is the goal of the State to provide adequate start-up funding to ensure that public preschool programs for children 4 years of age are offered by all school administrative units by the 2023-2024 school year and requires the Department of Education to include in its funding recommendations funding options to encourage more public preschool programs.

In order to achieve this goal, this Part requires the Department of Education to develop recommendations and report back to the Joint Standing Committee on Education and Cultural Affairs by January 1, 2020. Recommendations must include:

1. Standards for public preschool programs;
2. A process for approval and certification of programs not operated by a school administrative unit, including, but not limited to, a Head Start program or other program affiliated with the school administrative unit; and
3. Funding for public preschool programs.

The Joint Standing Committee on Education and Cultural Affairs may report out legislation to the Second Regular Session of the 129th Legislature to implement the recommendations in the report.

#### **PART VVVV**

This Part authorizes the Legislature, through the Joint Standing Committee on Education and Cultural Affairs, to contract with a qualified research and technical assistance entity to conduct an independent review of Maine's early childhood special education services. This Part authorizes the Office of the Executive Director of the Legislative Council, at the direction of the Joint Standing Committee on Education and Cultural Affairs, to develop and administer a request for proposals process to award a contract for the independent review.

#### **PART WWWW**

This Part allocates the one-time additional funding provided in Part A of \$3,000,000 for each year of the 2020-2021 biennium to the Department of Corrections, County Jail Operations Fund for county and regional jails to offset unusually high costs in the jails.

#### **PART XXXX**

This Part requires the Department of Health and Human Services to amend its rules governing MaineCare reimbursement in order to provide a supplemental payment of \$750,000 in fiscal year 2019-20 and fiscal year 2020-21 to Maine Veterans' Homes to offset budget shortfalls. The department, in its rulemaking, is required to determine a methodology that allocates funding in a manner that addresses the Maine Veterans' Homes shortfalls on a basis proportional to the shortfall of each Maine Veterans' Homes nursing facility.

#### **PART YYYY**

This Part provides a sales tax exemption for sales of watercraft to an incorporated nonprofit transportation company that has a written understanding with a municipality that the watercraft will be available at all times to transport an emergency medical services patient from an island to a licensed ambulance service on the mainland.

#### **PART ZZZZ**

This Part allows the School Revolving Renovation Fund to be used for renovations to retrofit learning spaces for public preschool programs as Priority 4 status projects.

#### **PART AAAAA**

This Part requires the Department of Education to provide a so-called hold harmless adjustment to the career and technical education centers and career and technical education regions in fiscal years 2020-21, 2021-22 and 2022-23 in order to transition the career and technical education centers and career and technical education regions to a total allocation that is equal to the sum of the career and technical education program components under the Maine Revised Statutes, Title 20-A, section 15688-A, subsection 1 by fiscal year 2023-24.

#### **PART BBBB**

This Part establishes the Commission To Study Long-term Care Workforce Issues to study and make policy recommendations regarding direct care workers, including determining the current and future demand for direct care workers, methods of encouraging employment in the direct care worker field and

improving the quality of long-term care jobs. The commission is required to submit a report to the Joint Standing Committee on Health and Human Services by November 7, 2019.

#### **PART CCCCC**

This Part amends the Maine Revised Statutes, Title 25, chapter 601, the Substance Use Disorder Assistance Program. This Part: changes language referencing "pilot projects" to instead reference "programs"; eliminates program requirements that pertain to pilot projects; eliminates the steering committee that provides advice on the selection of grant recipients; repeals the requirement that the Justice Assistance Council disburse funds; and eliminates the authority of the Department of Public Safety to retain up to 5% of funds to cover administrative expenses.

#### **PART DDDDD**

This Part carries forward unexpended All Other funds as of June 30, 2019 and June 30, 2020 in the Department of Public Safety, Administration - Public Safety program, General Fund account to the next fiscal years in order to provide \$750,000 per year in fiscal years 2019-20 and 2020-21 for grants for the provision of community-based treatment and support services through the Substance Use Disorder Assistance Program.

#### **PART EEEEE**

This Part requires the State Controller to transfer \$1,035,000 from available balances in Other Special Revenue Funds accounts in the Department of Environmental Protection, the Department of Marine Resources or the Department of Education to the Department of Marine Resources, Nonfederal Grants, Other Special Revenue Funds account, based on the determination of the Commissioner of Administrative and Financial Services.