



129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1000

H.P. 742

House of Representatives, February 26, 2019

**An Act To Make Supplemental Appropriations and Allocations for
the Expenditures of State Government and To Change Certain
Provisions of Law Necessary to the Proper Operations of State
Government for the Fiscal Year Ending June 30, 2019**

(EMERGENCY)

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative GATTINE of Westbrook. (GOVERNOR'S BILL)
Cosponsored by Senator BREEN of Cumberland and
Representatives: DUNPHY of Old Town, HUBBELL of Bar Harbor, JORGENSEN of
Portland, MILLETT of Waterford, PIERCE of Falmouth, WADSWORTH of Hiram, Senator:
SANBORN, L. of Cumberland.

1 Initiative: Provides funding for capital construction materials, capital improvements to
 2 bridges and roads, and other improvements to recreational trails and sites used by the
 3 public.

4	OTHER SPECIAL REVENUE	2018-19	2019-20	2020-21
5	FUNDS			
6	Capital Expenditures	\$200,000	\$0	\$0
7				
8	OTHER SPECIAL REVENUE	<u>\$200,000</u>	<u>\$0</u>	<u>\$0</u>
9	FUNDS TOTAL			

10	AGRICULTURE,			
11	CONSERVATION AND			
12	FORESTRY, DEPARTMENT OF			
13	DEPARTMENT TOTALS	2018-19	2019-20	2020-21
14				
15	OTHER SPECIAL REVENUE	\$200,000	\$0	\$0
16	FUNDS			
17				
18	DEPARTMENT TOTAL - ALL	<u>\$200,000</u>	<u>\$0</u>	<u>\$0</u>
19	FUNDS			

20 **CULTURAL AFFAIRS COUNCIL, MAINE STATE**
 21 **State of Maine Bicentennial Celebration Z260**

22 Initiative: Provides one-time funding for staff support and other expenses associated with
 23 the planning of the State of Maine bicentennial celebration. Funds appropriated for this
 24 purpose do not lapse but must be carried forward into the next fiscal year to be used only
 25 to support the expenses of planning the bicentennial celebration.

26	GENERAL FUND	2018-19	2019-20	2020-21
27	All Other	\$1,000,000	\$0	\$0
28				
29	GENERAL FUND TOTAL	<u>\$1,000,000</u>	<u>\$0</u>	<u>\$0</u>

30	CULTURAL AFFAIRS COUNCIL,			
31	MAINE STATE			
32	DEPARTMENT TOTALS	2018-19	2019-20	2020-21
33				
34	GENERAL FUND	\$1,000,000	\$0	\$0
35		<u></u>	<u></u>	<u></u>

1 **DEPARTMENT TOTAL - ALL \$1,000,000 \$0 \$0**
 2 **FUNDS**

3 **DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT**
 4 **OF**

5 **Disaster Assistance 0841**

6 Initiative: Provides one-time funding to the Disaster Recovery Fund to meet the State's
 7 share of estimated disaster recovery costs, as authorized in the Maine Revised Statutes,
 8 Title 37-B, section 744, subsection 2-A.

9	GENERAL FUND	2018-19	2019-20	2020-21
10	All Other	\$2,500,000	\$0	\$0
11				
12	GENERAL FUND TOTAL	<u>\$2,500,000</u>	<u>\$0</u>	<u>\$0</u>

13 **DEFENSE, VETERANS AND**
 14 **EMERGENCY MANAGEMENT,**
 15 **DEPARTMENT OF**
 16 **DEPARTMENT TOTALS**

16		2018-19	2019-20	2020-21
17				
18	GENERAL FUND	\$2,500,000	\$0	\$0
19				
20	DEPARTMENT TOTAL - ALL	<u>\$2,500,000</u>	<u>\$0</u>	<u>\$0</u>
21	FUNDS			

22 **EXECUTIVE DEPARTMENT**

23 **Public Advocate 0410**

24 Initiative: Provides funding for expert witnesses and related costs in upcoming billing and
 25 metering and rate cases.

26	OTHER SPECIAL REVENUE	2018-19	2019-20	2020-21
27	FUNDS			
28	All Other	\$352,078	\$0	\$0
29				
30	OTHER SPECIAL REVENUE	<u>\$352,078</u>	<u>\$0</u>	<u>\$0</u>
31	FUNDS TOTAL			

1	EXECUTIVE DEPARTMENT			
2	DEPARTMENT TOTALS	2018-19	2019-20	2020-21
3				
4	OTHER SPECIAL REVENUE	\$352,078	\$0	\$0
5	FUNDS			
6				
7	DEPARTMENT TOTAL - ALL	\$352,078	\$0	\$0
8	FUNDS			

9 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

10 **Disproportionate Share - Dorothea Dix Psychiatric Center Z225**

11 Initiative: Transfers 6 Mental Health Worker I positions from 36% General Fund and
 12 64% Other Special Revenue Funds in the Dorothea Dix Psychiatric Center program to
 13 36% Disproportionate Share - Dorothea Dix Psychiatric Center program, General Fund
 14 and 64% Dorothea Dix Psychiatric Center program, Other Special Revenue Funds.

15	GENERAL FUND	2018-19	2019-20	2020-21
16	POSITIONS - LEGISLATIVE	6.000	0.000	0.000
17	COUNT			
18	Personal Services	\$145,879	\$0	\$0
19				
20	GENERAL FUND TOTAL	\$145,879	\$0	\$0

21 **Dorothea Dix Psychiatric Center Z222**

22 Initiative: Transfers 6 Mental Health Worker I positions from 36% General Fund and
 23 64% Other Special Revenue Funds in the Dorothea Dix Psychiatric Center program to
 24 36% Disproportionate Share - Dorothea Dix Psychiatric Center program, General Fund
 25 and 64% Dorothea Dix Psychiatric Center program, Other Special Revenue Funds.

26	GENERAL FUND	2018-19	2019-20	2020-21
27	POSITIONS - LEGISLATIVE	(6.000)	0.000	0.000
28	COUNT			
29	Personal Services	(\$145,879)	\$0	\$0
30				
31	GENERAL FUND TOTAL	(\$145,879)	\$0	\$0

32 **Medical Care - Payments to Providers 0147**

33 Initiative: Adjusts allocations between the Medical Care - Payments to Providers program
 34 and the Nursing Facilities program within the same fund to correct an allocation approved
 35 in Public Law 2017, chapter 460.

1	FEDERAL EXPENDITURES	2018-19	2019-20	2020-21
2	FUND			
3	All Other	(\$11,528,954)	\$0	\$0
4				
5	FEDERAL EXPENDITURES FUND	<u>(\$11,528,954)</u>	<u>\$0</u>	<u>\$0</u>
6	TOTAL			

7 **Nursing Facilities 0148**

8 Initiative: Adjusts allocations between the Medical Care - Payments to Providers program
9 and the Nursing Facilities program within the same fund to correct an allocation approved
10 in Public Law 2017, chapter 460.

11	FEDERAL EXPENDITURES	2018-19	2019-20	2020-21
12	FUND			
13	All Other	\$11,528,954	\$0	\$0
14				
15	FEDERAL EXPENDITURES FUND	<u>\$11,528,954</u>	<u>\$0</u>	<u>\$0</u>
16	TOTAL			

17	HEALTH AND HUMAN			
18	SERVICES, DEPARTMENT OF			
19	DEPARTMENT TOTALS	2018-19	2019-20	2020-21
20				
21	GENERAL FUND	\$0	\$0	\$0
22	FEDERAL EXPENDITURES	\$0	\$0	\$0
23	FUND			
24				
25	DEPARTMENT TOTAL - ALL	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
26	FUNDS			

27 **HISTORIC PRESERVATION COMMISSION, MAINE**

28 **Historic Preservation Commission 0036**

29 Initiative: Provides funding for Personal Services costs due to a projected shortfall.

30	GENERAL FUND	2018-19	2019-20	2020-21
31	Personal Services	\$23,927	\$0	\$0
32				
33	GENERAL FUND TOTAL	<u>\$23,927</u>	<u>\$0</u>	<u>\$0</u>

1	HISTORIC PRESERVATION			
2	COMMISSION, MAINE			
3	DEPARTMENT TOTALS	2018-19	2019-20	2020-21
4				
5	GENERAL FUND	\$23,927	\$0	\$0
6				
7	DEPARTMENT TOTAL - ALL	\$23,927	\$0	\$0
8	FUNDS			

9 **JUDICIAL DEPARTMENT**

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

11 Initiative: Provides funding to meet current rates developed by the Department of
 12 Administrative and Financial Services, Office of Information Technology for network
 13 access.

14	GENERAL FUND	2018-19	2019-20	2020-21
15	All Other	\$184,214	\$0	\$0
16				
17	GENERAL FUND TOTAL	\$184,214	\$0	\$0

18	JUDICIAL DEPARTMENT			
19	DEPARTMENT TOTALS	2018-19	2019-20	2020-21
20				
21	GENERAL FUND	\$184,214	\$0	\$0
22				
23	DEPARTMENT TOTAL - ALL	\$184,214	\$0	\$0
24	FUNDS			

25 **LIBRARY, MAINE STATE**

26 **Administration - Library 0215**

27 Initiative: Provides funding for Personal Services costs due to a projected shortfall.

28	GENERAL FUND	2018-19	2019-20	2020-21
29	Personal Services	\$13,000	\$0	\$0
30				
31	GENERAL FUND TOTAL	\$13,000	\$0	\$0

32 **Maine State Library 0217**

33 Initiative: Provides funding for the full subscription and support of 13 public computers.

1	GENERAL FUND	2018-19	2019-20	2020-21
2	All Other	\$6,400	\$0	\$0
3				
4	GENERAL FUND TOTAL	<u>\$6,400</u>	<u>\$0</u>	<u>\$0</u>

5 **Maine State Library 0217**

6 Initiative: Provides funding for Personal Services costs due to a projected shortfall.

7	GENERAL FUND	2018-19	2019-20	2020-21
8	Personal Services	\$16,000	\$0	\$0
9				
10	GENERAL FUND TOTAL	<u>\$16,000</u>	<u>\$0</u>	<u>\$0</u>

11	LIBRARY, MAINE STATE			
12	DEPARTMENT TOTALS	2018-19	2019-20	2020-21
13				
14	GENERAL FUND	\$35,400	\$0	\$0
15				
16	DEPARTMENT TOTAL - ALL	<u>\$35,400</u>	<u>\$0</u>	<u>\$0</u>
17	FUNDS			

18 **MARINE RESOURCES, DEPARTMENT OF**

19 **Bureau of Policy and Management 0258**

20 Initiative: Reallocates 15% of the cost of 8 Marine Patrol Officer positions and 3 Marine
 21 Patrol Specialist positions and 10% of the cost of 2 Marine Patrol Mechanic Specialist
 22 positions from the Bureau of Policy and Management program, Other Special Revenue
 23 Funds to the Marine Patrol - Bureau of program, General Fund.

24	OTHER SPECIAL REVENUE	2018-19	2019-20	2020-21
25	FUNDS			
26	Personal Services	(\$180,872)	\$0	\$0
27				
28	OTHER SPECIAL REVENUE	<u>(\$180,872)</u>	<u>\$0</u>	<u>\$0</u>
29	FUNDS TOTAL			

30 **Marine Patrol - Bureau of 0029**

31 Initiative: Provides funding for the Department of Public Safety's State Police records
 32 management system.

1	GENERAL FUND	2018-19	2019-20	2020-21
2	All Other	\$36,563	\$0	\$0
3				
4	GENERAL FUND TOTAL	<u>\$36,563</u>	<u>\$0</u>	<u>\$0</u>

5 **Marine Patrol - Bureau of 0029**

6 Initiative: Reallocates 15% of the cost of 8 Marine Patrol Officer positions and 3 Marine
7 Patrol Specialist positions and 10% of the cost of 2 Marine Patrol Mechanic Specialist
8 positions from the Bureau of Policy and Management program, Other Special Revenue
9 Funds to the Marine Patrol - Bureau of program, General Fund.

10	GENERAL FUND	2018-19	2019-20	2020-21
11	Personal Services	\$180,872	\$0	\$0
12				
13	GENERAL FUND TOTAL	<u>\$180,872</u>	<u>\$0</u>	<u>\$0</u>

14 **Marine Patrol - Bureau of 0029**

15 Initiative: Provides funding for an increase in fees for dispatch services provided by the
16 Department of Public Safety.

17	GENERAL FUND	2018-19	2019-20	2020-21
18	All Other	\$41,561	\$0	\$0
19				
20	GENERAL FUND TOTAL	<u>\$41,561</u>	<u>\$0</u>	<u>\$0</u>

21 **Marine Patrol - Bureau of 0029**

22 Initiative: Provides funding for insurance, uniforms, training, rents and minor equipment
23 for the Bureau of Marine Patrol.

24	GENERAL FUND	2018-19	2019-20	2020-21
25	All Other	\$176,387	\$0	\$0
26				
27	GENERAL FUND TOTAL	<u>\$176,387</u>	<u>\$0</u>	<u>\$0</u>

28 **MARINE RESOURCES,**
29 **DEPARTMENT OF**
30 **DEPARTMENT TOTALS**

31		2018-19	2019-20	2020-21
32	GENERAL FUND	\$435,383	\$0	\$0
33	OTHER SPECIAL REVENUE	(\$180,872)	\$0	\$0
34	FUNDS			

1				
2	DEPARTMENT TOTAL - ALL	\$254,511	\$0	\$0
3	FUNDS			

4 **PROPERTY TAX REVIEW, STATE BOARD OF**
5 **Property Tax Review - State Board of 0357**

6 Initiative: Provides funding for payment of Attorney General legal fees.

7	GENERAL FUND	2018-19	2019-20	2020-21
8	All Other	\$38,772	\$0	\$0
9				
10	GENERAL FUND TOTAL	\$38,772	\$0	\$0

11	PROPERTY TAX REVIEW,			
12	STATE BOARD OF			
13	DEPARTMENT TOTALS	2018-19	2019-20	2020-21
14				
15	GENERAL FUND	\$38,772	\$0	\$0
16				
17	DEPARTMENT TOTAL - ALL	\$38,772	\$0	\$0
18	FUNDS			

19 **SECRETARY OF STATE, DEPARTMENT OF**
20 **Bureau of Administrative Services and Corporations 0692**

21 Initiative: Provides funding for the annual lease of accessible voting system equipment,
22 software and support to municipalities for 2019.

23	GENERAL FUND	2018-19	2019-20	2020-21
24	All Other	\$400,000	\$0	\$0
25				
26	GENERAL FUND TOTAL	\$400,000	\$0	\$0

27	SECRETARY OF STATE,			
28	DEPARTMENT OF			
29	DEPARTMENT TOTALS	2018-19	2019-20	2020-21
30				
31	GENERAL FUND	\$400,000	\$0	\$0
32				

1	DEPARTMENT TOTAL - ALL	\$400,000	\$0	\$0
2	FUNDS			
3	SECTION TOTALS	2018-19	2019-20	2020-21
4				
5	GENERAL FUND	\$7,516,778	\$0	\$0
6	FEDERAL EXPENDITURES	\$0	\$0	\$0
7	FUND			
8	OTHER SPECIAL REVENUE	\$371,206	\$0	\$0
9	FUNDS			
10				
11	SECTION TOTAL - ALL FUNDS	\$7,887,984	\$0	\$0

12 **PART B**

13 **Sec. B-1. 22 MRSA §3174-SS**, as enacted by PL 2011, c. 477, Pt. I, §1, is
 14 repealed.

15 **PART C**

16 **Sec. C-1. 22 MRSA §3174-VV**, as amended by PL 2017, c. 407, Pt. A, §78, is
 17 repealed.

18 **PART D**

19 **Sec. D-1. 34-A MRSA c. 3, sub-c. 6**, as amended, is repealed.

20 **Sec. D-2. 34-A MRSA c. 3, sub-c. 10** is enacted to read:

21 **SUBCHAPTER 10**

22 **WASHINGTON COUNTY PRERELEASE CENTER**

23 **§4301. Establishment**

24 There is established the Washington County Prerelease Center, referred to in this
 25 subchapter as "the center," which must be located in Washington County as a minimum
 26 security unit of the Mountain View Correctional Facility.

27 **§4302. Purposes**

28 The purposes of the center include vocational training and rehabilitative programs,
 29 including work release and work involving public restitution.

1 **§4303. Superintendent**

2 **1. Chief administrative officer.** The chief administrative officer of the center is the
3 superintendent of the Mountain View Correctional Facility as described in section 4103,
4 subsection 1, referred to in this subchapter as "the superintendent."

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

7 A. The superintendent shall exercise proper supervision over the employees,
8 grounds, buildings and equipment at the center.

9 B. The superintendent shall supervise and control the prisoners at the center in
10 accordance with departmental rules.

11 **§4304. Prisoners generally**

12 **1. Confinement of prisoners transferred to center.** All prisoners transferred to the
13 center must be detained and confined in accordance with the sentences of the court and
14 the rules of the department.

15 **2. Work release.** The superintendent shall work collaboratively with private
16 employers as necessary to ensure the provision of suitable work release opportunities for
17 prisoners at the center.

18 **3. Employment.** The commissioner may authorize the employment of prisoners at
19 the center on public works with any department, agency or entity of state, county or local
20 government and may authorize the use of prisoners to provide assistance in the
21 improvement of property owned by nonprofit organizations.

22 A. The commissioner shall adopt those rules as the commissioner considers proper to
23 ensure the care and treatment of the prisoners and the safe working conditions of
24 prisoners and departmental employees. Rules adopted pursuant to this paragraph are
25 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

26 B. The purpose of the employment authorized in this subsection is to provide
27 training to the prisoners and to be a form of public restitution for the crimes
28 committed by the prisoners.

29 C. A prisoner employed under this subsection may not be compensated monetarily
30 for work performed.

31 D. The commissioner may request that a nonprofit organization pay for the
32 transportation of the prisoners it employs and pay the per diem compensation of
33 correctional officers or instructors who must accompany the prisoners or oversee the
34 work to be performed.

35 **4. Escape.** A prisoner who escapes from the center or from any assignment beyond
36 the grounds of the center, including assignment with community rehabilitative programs,
37 is guilty of escape under Title 17-A, section 755.

1 Title 35-A, section 116, subsection 8 is subject to an additional assessment on its
2 intrastate gross operating revenues sufficient to produce \$353,000 total. The revenues
3 produced from this assessment must be transferred to the Public Advocate Regulatory
4 Fund. All Other funds in the amount of \$353,000 may be used only for the costs
5 associated with representing electric utility ratepayers in the State and the State's public
6 interests for the anticipated Emera Maine rate case and bifurcated Central Maine Power
7 Company billing and metering and rate cases for retention of expert witnesses and related
8 costs.

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

11 **SUMMARY**

12 **PART A**

13 This Part makes appropriations and allocations.

14 **PART B**

15 This Part repeals the limited lifetime maximum coverage and reimbursement of 24
16 months under the MaineCare program for buprenorphine and naloxone combination
17 drugs for the treatment of addiction.

18 **PART C**

19 This Part repeals the limited lifetime maximum reimbursement of 24 months under
20 the MaineCare program for methadone for the treatment of addiction.

21 **PART D**

22 This Part repeals the laws governing the former Downeast Correctional Facility and
23 establishes a Department of Corrections prerelease center in Washington County.

24 **PART E**

25 This Part transfers the remaining funds in the cost recovery fund of the Public
26 Utilities Commission to the unappropriated surplus of the General Fund in fiscal year
27 2018-19.

28 **PART F**

29 This Part requires the State Controller to transfer any remaining balance specifically
30 related to federal supplemental nutrition assistance program overpayments in the Food
31 Supplement Administration program, Federal Expenditures Fund to the Food Supplement
32 Administration program, Other Special Revenue Funds.

33 **PART G**

1 This Part imposes an additional assessment on electric utility entities for fiscal year
2 2018-19 to provide funding to the Office of the Public Advocate in order to fund the costs
3 of representing ratepayers in rate cases.