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Date: (Filing No. H-555)

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE OF CONFERENCE AMENDMENT “A” to COMMITTEE AMENDMENT “C” to H.P. 281, L.D. 390, Bill, “An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2018 and June 30, 2019”

Amend the amendment by striking out everything after Part B and before the summary and inserting the following:

'PART C

Sec. C-1. 8 MRSA §1036, sub-§2-A, ¶A, as enacted by IB 2009, c. 2, §45, is amended to read:

A. Twenty-five percent of the net slot machine income must be forwarded directly by the board to the Treasurer of State, who shall credit the money to the Department of Education, to be used ~~to supplement and not to supplant funding~~ for essential programs and services for kindergarten to grade 12 under Title 20-A, chapter 606-B;

Sec. C-2. 8 MRSA §1036, sub-§2-B, ¶A, as enacted by IB 2009, c. 2, §46, is amended to read:

A. Ten percent of the net table game income must be forwarded directly by the board to the Treasurer of State, who shall credit the money to the Department of Education, to be used ~~to supplement and not to supplant funding~~ for essential programs and services for kindergarten to grade 12 under Title 20-A, chapter 606-B;

Sec. C-3. 20-A MRSA §1051, sub-§6, ¶D is enacted to read:

D. A group of school administrative units that has an interlocal agreement pursuant to Title 30-A, chapter 115 to establish a school management and leadership center to jointly purchase the services of a superintendent may elect the superintendent in the manner prescribed in the interlocal agreement.

Sec. C-4. 20-A MRSA §1485, sub-§1-A is enacted to read:

CONFERENCE AMENDMENT

1 **1-A. Instructional expenditures transition; annual targets.** Each school
2 administrative unit shall meet the annual targets for the direct instruction percentage share
3 of total General Fund expenditures as follows:

4 A. For fiscal year 2018-19, the target is 61%;

5 B. For fiscal year 2019-20, the target is 63%;

6 C. For fiscal year 2020-21, the target is 65%;

7 D. For fiscal year 2021-22, the target is 67%; and

8 E. For fiscal year 2022-23 and succeeding years, the target is 70%.

9 For the purposes of this subsection, "direct instruction" means those expenditures in
10 subsection 1, paragraph A for regular instruction, special education instruction, career and
11 technical education instruction and other instruction including summer school instruction
12 and extracurricular instruction as defined in the State's accounting handbook for local
13 school systems.

14 **Sec. C-5. 20-A MRSA §4271, sub-§3,** as enacted by PL 2013, c. 581, §3, is
15 amended to read:

16 **3. Grant funds.** Beginning with the 2015-2016 school year and for each subsequent
17 school year, the commissioner may provide start-up funding to qualified school
18 administrative units to operate public preschool programs for children 4 years of age.
19 Grants provided for allowable costs for approved public preschool programs must be
20 provided from state, federal or private funds appropriated, allocated or authorized by the
21 Legislature for that purpose ~~and must include \$4,000,000 annually in revenues distributed~~
22 ~~from general purpose aid for local schools that the department receives from casino slot~~
23 ~~machines or casino table games pursuant to section 15671, subsection 5-A. Any balance~~
24 ~~of funds appropriated, allocated or authorized by the Legislature remaining at the end of a~~
25 ~~fiscal year do not lapse and are carried forward to the next fiscal year to carry out the~~
26 ~~purposes of this subchapter.~~

27 **Sec. C-6. 20-A MRSA §4271, sub-§3-A** is enacted to read:

28 **3-A. Phase-in procedures for new or newly expanded public preschool**
29 **programs.** Beginning July 1, 2018, for new or newly expanded public preschool
30 programs, the commissioner shall make a preliminary calculation of total allocation
31 pursuant to section 15674 based on the following:

32 A. Estimated public preschool program student counts not to exceed the school unit's
33 most recent kindergarten enrollment;

34 B. Estimated rates and weights based on statewide averages; and

35 C. The preliminary calculation of total allocation, which must be replaced with
36 actual student data once students have been enrolled for the new school year. The
37 new or newly expanded public preschool programs shall enroll new students no later
38 than August 1st in a student information system maintained by the department.

39 **Sec. C-7. 20-A MRSA §4722-A, sub-§4,** as amended by PL 2015, c. 489, §2, is
40 repealed.

1 **Sec. C-8. 20-A MRSA §4775**, as amended by PL 2013, c. 368, Pt. C, §2, is
2 further amended to read:

3 **§4775. Payment; appropriations**

4 ~~The~~ Until the 2018-2019 school year, the department shall pay 50% of the in-state
5 tuition for the first 6 credit hours taken each semester by a student at an eligible
6 institution and up to 12 credit hours per academic year. The eligible institution may not
7 make any additional tuition charges for the course but may impose fees and charges,
8 other than tuition, that are ordinarily imposed on students not covered by this chapter.
9 Funds appropriated to the department to carry out the purposes of this chapter must be in
10 addition to the customary and ongoing amounts appropriated for general purpose aid for
11 local schools.

12 ~~Beginning with the 2018-2019 school year, the department shall reimburse each~~
13 ~~eligible institution the cost of in-state tuition up to the maximum rate, calculated as~~
14 ~~follows: 50% of the average in-state tuition rate for the highest and lowest in-state tuition~~
15 ~~rates established by the University of Maine System for eligible institutions within the~~
16 ~~system for the first 6 credit hours taken each semester by a student at an eligible~~
17 ~~institution and up to 12 credit hours per academic year. The eligible institution may not~~
18 ~~make any additional tuition charges for the course but may impose fees and charges,~~
19 ~~other than tuition, that are ordinarily imposed on students not covered by this chapter.~~
20 ~~Funds appropriated to the department to carry out the purposes of this chapter must be in~~
21 ~~addition to the customary and ongoing amounts appropriated for general purpose aid for~~
22 ~~local schools.~~

23 **Sec. C-9. 20-A MRSA §6051, sub-§1, ¶J**, as amended by PL 2013, c. 167, Pt.
24 A, §4, is further amended to read:

25 J. A determination of whether the school administrative unit has complied with the
26 applicable provisions of the unexpended balances requirements established under
27 section 15004; ~~and~~

28 **Sec. C-10. 20-A MRSA §6051, sub-§1, ¶K**, as enacted by PL 2013, c. 167, Pt.
29 A, §5, is amended to read:

30 K. A schedule of expenditures of federal awards; ~~and~~

31 **Sec. C-11. 20-A MRSA §6051, sub-§1, ¶L** is enacted to read:

32 L. Beginning July 1, 2017, a determination of whether the school administrative unit
33 has complied with section 15675, subsection 2.

34 **Sec. C-12. 20-A MRSA §6955** is enacted to read:

35 **§6955. Repeal**

36 This chapter is repealed July 1, 2019.

37 **Sec. C-13. 20-A MRSA §8232, sub-§2**, as enacted by PL 2015, c. 363, §4, is
38 amended to read:

1 **2. Tuition; room and board; funding.** Students from this State may attend the
2 school free of tuition charges. Additional funding for students from this State may be
3 provided within amounts appropriated for that purpose as follows.

4 A. ~~The amount must be paid in 4 equal quarterly payments during the year of~~
5 ~~attendance. The first payment must be made by July 31st. The amount of tuition and~~
6 ~~other costs paid for all students is limited to the amount appropriated for this purpose.~~
7 State funding for the school must be provided using the method established for public
8 charter schools that are authorized by the commission in accordance with the funding
9 provisions established in section 2413-A and section 15683-B. To be eligible for
10 state funding under this paragraph, a student must have resided in Maine with a
11 parent, other relative or guardian for at least 6 months immediately preceding
12 application to the school.

13 B. ~~Except as otherwise provided in this paragraph, effective July 1, 2018, the student~~
14 ~~or the student's parent or guardian shall pay to the school the cost of room and board~~
15 ~~for the school year. In the case of financial need, the State shall pay to the school the~~
16 ~~difference between the cost of room and board and the student's or the student's~~
17 ~~family's ability to pay that cost. The board of trustees shall establish rules governing~~
18 ~~the determination of financial need and the cost and schedule of payment of room and~~
19 ~~board under this paragraph. The determination of financial need must be based on a~~
20 ~~nationally recognized public or private school financial needs assessment system. A~~
21 ~~student may use scholarship funds in place of payment for all or part of the cost of~~
22 ~~room and board and any other fees or expenses incurred as a result of that student's~~
23 ~~enrollment at the school.~~

24 **Sec. C-14. 20-A MRSA §15671, first ¶**, as enacted by PL 2001, c. 660, §1, is
25 amended to read:

26 Essential programs and services are those educational resources that are identified in
27 this chapter necessary to ensure the opportunity for all students to meet the standards in
28 the 8 content standard subject areas and goals of the system of learning results established
29 in chapter 222. In order to achieve this system of learning results, school funding based
30 on essential programs and services must be available in all schools on an equitable basis.
31 Essential programs and services utilize resources ~~including federal funds~~ that are
32 currently provided or could be adapted to implement a system of learning results, as well
33 as additional resources including federal funds that are also needed to ensure that these
34 programs and services are available to all students. These essential programs and
35 services must provide the basis for the system of school funding no later than 2007-08.
36 School funding must be adequate to fully provide for all of the staffing and other material
37 resource needs of the essential programs and services identified by the Legislature.

38 **Sec. C-15. 20-A MRSA §15671, sub-§1**, as amended by PL 2015, c. 267, Pt. L,
39 §10, is further amended to read:

40 **1. State and local partnership.** The State and each local school administrative unit
41 are jointly responsible for contributing to the cost of the components of essential
42 programs and services described in this chapter. Except as otherwise provided in this
43 subsection, for each fiscal year, the total cost of the components of essential programs
44 and services may not exceed the prior fiscal year's costs multiplied by one plus the

1 average personal income growth rate as defined in Title 5, section 1665, subsection 1.
2 The Legislature, by an affirmative vote of each House, may exceed the limitations on
3 increases in the total cost of the components of essential programs and services provided
4 in this subsection, as long as that vote is taken upon legislation stating that it is the
5 Legislature's intent to override the limitation for that fiscal year. The state contribution to
6 the cost of the components of essential programs and services, ~~exclusive of federal funds~~
7 ~~that are provided and accounted for in the cost of the components of essential programs~~
8 ~~and services,~~ must be made in accordance with this subsection:

9 A. The level of the state share of funding attributable to the cost of the components
10 of essential programs and services must be at least 50% of eligible state and local
11 General Fund education costs statewide, no later than fiscal year 2006-07; and

12 B. By fiscal year 2008-09 the state share of the total cost of funding public education
13 from kindergarten to grade 12, as described by essential programs and services, must
14 be 55%. Beginning in fiscal year 2005-06 and in each fiscal year until fiscal year
15 2008-09, the state share of essential programs and services described costs must
16 increase toward the 55% level required in fiscal year 2008-09.

17 Beginning in fiscal year 2005-06 and in each fiscal year thereafter, the commissioner
18 shall use the funding level determined in accordance with this section as the basis for a
19 recommended funding level for the state share of the cost of the components of essential
20 programs and services.

21 **Sec. C-16. 20-A MRSA §15671, sub-§5-A,** as amended by PL 2015, c. 267, Pt.
22 C, §5, is further amended to read:

23 **5-A. Funds from casino slot machines or table games.** Revenues received by the
24 department from casino slot machines or casino table games pursuant to Title 8, section
25 1036, subsection 2-A, paragraph A or Title 8, section 1036, subsection 2-B, paragraph A
26 must be distributed ~~until the end of fiscal year 2014-15~~ as general purpose aid for local
27 schools, and each school administrative unit shall make its own determination as to how
28 to allocate these resources. ~~Beginning in fiscal year 2017-18, \$4,000,000 in revenues~~
29 ~~must be distributed by the department to provide start up funds for approved public~~
30 ~~preschool programs for children 4 years of age in accordance with chapter 203,~~
31 ~~subchapter 3.~~ Neither the Governor nor the Legislature may divert the revenues payable
32 to the department to any other fund or for any other use. Any proposal to enact or amend
33 a law to allow distribution of the revenues paid to the department from casino slot
34 machines or casino table games for another purpose must be submitted to the Legislative
35 Council and to the joint standing committee of the Legislature having jurisdiction over
36 education matters at least 30 days prior to any vote or public hearing on the proposal.

37 **Sec. C-17. 20-A MRSA §15671, sub-§6,** as amended by PL 2005, c. 519, Pt.
38 LL, §1, is further amended to read:

39 **6. Targeted funds.** Funds for technology, implementation of a standards-based
40 system and the costs of additional investments in educating children in kindergarten to
41 grade 2 as described in section 15681 must be provided as targeted allocations. School
42 administrative units shall submit a plan for the use of these funds and receive funding
43 based on approval of the plan by the commissioner. State funds for extended learning

1 provided above the basic economically disadvantaged student adjustment in section
2 15675, subsection 2 must also be provided as targeted allocations and restricted to
3 approved programs that benefit economically disadvantaged students.

4 **Sec. C-18. 20-A MRSA §15671, sub-§7, ¶A**, as amended by PL 2013, c. 368,
5 Pt. C, §6, is further amended to read:

6 A. The base total calculated pursuant to section 15683, subsection 2 is subject to the
7 following annual targets.

8 (1) For fiscal year 2005-06, the target is 84%.

9 (2) For fiscal year 2006-07, the target is 90%.

10 (3) For fiscal year 2007-08, the target is 95%.

11 (4) For fiscal year 2008-09, the target is 97%.

12 (5) For fiscal year 2009-10, the target is 97%.

13 (6) For fiscal year 2010-11, the target is 97%.

14 (7) For fiscal year 2011-12, the target is 97%.

15 (8) For fiscal year 2012-13, the target is 97%.

16 (9) For fiscal ~~year years~~ 2013-14 and succeeding years, 2014-15, 2015-16, 2016-
17 17 and 2017-18, the target is 97%.

18 (10) For fiscal year 2018-19 and succeeding years, the target is 100%.

19 **Sec. C-19. 20-A MRSA §15671, sub-§7, ¶B**, as amended by PL 2015, c. 389,
20 Pt. C, §3 and c. 481, Pt. D, §1, is further amended to read:

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

23 (1) For fiscal year 2005-06, the target is 52.6%.

24 (2) For fiscal year 2006-07, the target is 53.86%.

25 (3) For fiscal year 2007-08, the target is 53.51%.

26 (4) For fiscal year 2008-09, the target is 52.52%.

27 (5) For fiscal year 2009-10, the target is 48.93%.

28 (6) For fiscal year 2010-11, the target is 45.84%.

29 (7) For fiscal year 2011-12, the target is 46.02%.

30 (8) For fiscal year 2012-13, the target is 45.87%.

31 (9) For fiscal year 2013-14, the target is 47.29%.

32 (10) For fiscal year 2014-15, the target is 46.80%.

1 (11) For fiscal year 2015-16, the target is 47.54%.

2 (12) For fiscal year 2016-17, the target is 48.14%.

3 (13) For fiscal year 2017-18, the target is 49.14%.

4 (14) For fiscal year 2018-19, the target is 50.14%.

5 **Sec. C-20. 20-A MRSA §15671, sub-§7, ¶C**, as amended by PL 2015, c. 389,
6 Pt. C, §4 and c. 481, Pt. D, §2, is further amended to read:

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

13 (1) For fiscal year 2011-12, the target is 49.47%.

14 (2) For fiscal year 2012-13, the target is 49.35%.

15 (3) For fiscal year 2013-14, the target is 50.44%.

16 (4) For fiscal year 2014-15, the target is 50.13%.

17 (5) For fiscal year 2015-16, the target is 50.08%.

18 (6) For fiscal year 2016-17, the target is 50.82%.

19 (7) For fiscal year 2017-18 ~~and succeeding years~~, the target is ~~55%~~ 52.02%.

20 (8) For fiscal year 2018-19, the target is 53.02%.

21 **Sec. C-21. 20-A MRSA §15671-A, sub-§1, ¶C**, as enacted by PL 2005, c. 2, Pt.
22 D, §35 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is amended to read:

23 C. "Statewide total local share" means the local share, calculated on a statewide
24 basis, of the statewide total cost of the components of essential programs and services
25 as adjusted, if at all, pursuant to section 15671, subsection 7 to reflect the application
26 of the transition targets to the base total component.

27 **Sec. C-22. 20-A MRSA §15671-A, sub-§2, ¶A**, as amended by PL 2005, c. 2,
28 Pt. D, §35 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is further amended to
29 read:

30 A. ~~The~~ Based on the funding requirements established in section 15671, the
31 commissioner shall annually by February 1st notify each school administrative unit of
32 its local cost share expectation and tabulate that local cost share expectation, total
33 allocation and the projected state subsidy for each school administrative unit and post
34 those tabulations, itemized by school administrative unit, on the department's publicly
35 accessible website. Each superintendent shall report to the municipal officers
36 whenever a school administrative unit is notified of the local cost share expectation or
37 a change made in the local cost share expectation resulting from an adjustment.

1 **Sec. C-23. 20-A MRSA §15671-A, sub-§2, ¶B**, as amended by PL 2015, c.
2 389, Pt. C, §5 and c. 481, Pt. D, §3, is further amended to read:

3 B. For property tax years beginning on or after April 1, 2005, the commissioner shall
4 calculate the full-value education mill rate that is required to raise the statewide total
5 local share. The full-value education mill rate is calculated for each fiscal year by
6 dividing the applicable statewide total local share by the applicable statewide
7 valuation. The full-value education mill rate must decline over the period from fiscal
8 year 2005-06 to fiscal year 2008-09 and may not exceed 9.0 mills in fiscal year 2005-
9 06 and may not exceed 8.0 mills in fiscal year 2008-09. The full-value education mill
10 rate must be applied according to section 15688, subsection 3-A, paragraph A to
11 determine a municipality's local cost share expectation. Full-value education mill
12 rates must be derived according to the following schedule.

13 (1) For the 2005 property tax year, the full-value education mill rate is the
14 amount necessary to result in a 47.4% statewide total local share in fiscal year
15 2005-06.

16 (2) For the 2006 property tax year, the full-value education mill rate is the
17 amount necessary to result in a 46.14% statewide total local share in fiscal year
18 2006-07.

19 (3) For the 2007 property tax year, the full-value education mill rate is the
20 amount necessary to result in a 46.49% statewide total local share in fiscal year
21 2007-08.

22 (4) For the 2008 property tax year, the full-value education mill rate is the
23 amount necessary to result in a 47.48% statewide total local share in fiscal year
24 2008-09.

25 (4-A) For the 2009 property tax year, the full-value education mill rate is the
26 amount necessary to result in a 51.07% statewide total local share in fiscal year
27 2009-10.

28 (4-B) For the 2010 property tax year, the full-value education mill rate is the
29 amount necessary to result in a 54.16% statewide total local share in fiscal year
30 2010-11.

31 (4-C) For the 2011 property tax year, the full-value education mill rate is the
32 amount necessary to result in a 53.98% statewide total local share in fiscal year
33 2011-12.

34 (5) For the 2012 property tax year, the full-value education mill rate is the
35 amount necessary to result in a 54.13% statewide total local share in fiscal year
36 2012-13.

37 (6) For the 2013 property tax year, the full-value education mill rate is the
38 amount necessary to result in a 52.71% statewide total local share in fiscal year
39 2013-14.

1 (7) For the 2014 property tax year, the full-value education mill rate is the
2 amount necessary to result in a 53.20% statewide total local share in fiscal year
3 2014-15.

4 (8) For the 2015 property tax year, the full-value education mill rate is the
5 amount necessary to result in a 52.46% statewide total local share in fiscal year
6 2015-16.

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

10 (10) For the 2017 property tax year ~~and subsequent tax years~~, the full-value
11 education mill rate is the amount necessary to result in a ~~45%~~ 50.86% statewide
12 total local share in fiscal year 2017-18 ~~and after~~.

13 (11) For the 2018 property tax year and subsequent tax years, the full-value
14 education mill rate is the amount necessary to result in a 45% statewide total
15 local share in fiscal year 2018-19 and after.

16 **Sec. C-24. 20-A MRSA §15671-A, sub-§5**, as amended by PL 2005, c. 519, Pt.
17 AAAA, §2, is further amended to read:

18 **5. Exceeding maximum state and local spending target.** If the sum of a school
19 administrative unit's required local contribution determined pursuant to section 15688,
20 subsection 3-A plus the state contribution as calculated pursuant to section 15688,
21 subsection 3-A, paragraph D, ~~plus any state funds resulting from a transition adjustment~~
22 ~~pursuant to section 15686~~, plus any additional local amount proposed to be raised
23 pursuant to section 15690, subsection 3 exceeds the school administrative unit's
24 maximum state and local spending target established pursuant to subsection 4, the
25 following provisions govern approval of that additional amount.

26 A. The article approving the additional amount must conform to the requirements of
27 section 15690, subsection 3, paragraph B. Notwithstanding section 1304, subsection
28 6; section 1701, subsection 7; Title 30-A, section 2528, subsection 5, or any other
29 provision of law, municipal charter provision or ordinance, voter approval of the
30 article, whether in town meeting, district meeting or other voting process established
31 by law, municipal charter or ordinance, including, but not limited to, any vote on the
32 article initiated by voter petition, must be by referendum or written ballot.

33 B. In a municipality where the responsibility for final adoption of the school budget
34 is vested by the municipal charter in a council, this paragraph applies, except that the
35 petition and referendum provisions apply only if the municipal charter does not
36 otherwise provide for or prohibit a petition and referendum process with respect to
37 the matters described in this paragraph.

38 (1) A majority of the entire membership of the school board or committee must
39 approve the additional amount in a regular budget meeting.

40 (2) An article approving the additional amount must conform to the requirements
41 of section 15690, subsection 3, paragraph B and be approved by a majority of the

1 entire membership of the council in a vote taken in accordance with section
2 15690, subsection 5 or, if the council votes not to approve the article, by a
3 majority of voters voting in a referendum called pursuant to subparagraph (4).

4 (3) If an article is approved by the council pursuant to subparagraph (2), the
5 voters may petition for a referendum vote on the same article in accordance with
6 subparagraph (4). If a petition is filed in accordance with subparagraph (4), the
7 vote of the council is suspended pending the outcome of the referendum vote.
8 Upon approval of the article by a majority of the voters voting in that
9 referendum, the article takes effect. If the article is not approved by a majority of
10 the voters voting in that referendum, the article does not take effect. Subsequent
11 to the vote, the school committee or board may again propose an additional
12 amount, subject to the requirements of this section.

13 (4) If a written petition, signed by at least 10% of the number of voters voting in
14 the last gubernatorial election in the municipality, requesting a vote on the
15 additional amount is submitted to the municipal officers within 30 days of the
16 council's vote pursuant to subparagraph (2), the article voted on by the council
17 must be submitted to the legal voters in the next regular election or a special
18 election called for the purpose. The election must be held within 45 days of the
19 submission of the petition. The election must be called, advertised and conducted
20 according to the law relating to municipal elections, except that the registrar of
21 voters is not required to prepare or the clerk to post a new list of voters and
22 absentee ballots must be prepared and made available at least 14 days prior to the
23 date of the referendum. For the purpose of registration of voters, the registrar of
24 voters must be in session the secular day preceding the election. The voters shall
25 indicate by a cross or check mark placed against the word "Yes" or "No" their
26 opinion on the article. The results must be declared by the municipal officers and
27 entered upon the municipal records.

28 **Sec. C-25. 20-A MRSA §15672, sub-§8**, as enacted by PL 2003, c. 504, Pt. A,
29 §6, is amended to read:

30 **8. Essential programs and services.** "Essential programs and services" means
31 those educational resources that are identified in this chapter that enable all students to
32 meet the standards in the 8 content standard subject areas and goals of the system of
33 learning results established in chapter 222.

34 **Sec. C-26. 20-A MRSA §15672, sub-§14-A** is enacted to read:

35 **14-A. Kindergarten.** "Kindergarten" means kindergarten or a prekindergarten early
36 education program for students who are at least 4 years of age on October 15th of the
37 school year.

38 **Sec. C-27. 20-A MRSA §15672, sub-§23, ¶¶B and C**, as enacted by PL 2013,
39 c. 203, §1, are amended to read:

40 B. For fiscal year 2014-15, the average of the certified state valuations for the 2 most
41 recent years prior to the most recently certified state valuation; ~~and~~

1 C. For fiscal ~~year~~ years 2015-16 ~~and each subsequent fiscal year, 2016-17 and 2017-~~
2 18, the average of the certified state valuations for the 3 most recent years prior to the
3 most recently certified state valuation; ~~and~~

4 **Sec. C-28. 20-A MRSA §15672, sub-§23, ¶D** is enacted to read:

5 D. For fiscal year 2018-19 and each subsequent fiscal year, the average of the
6 certified state valuations for the 2 most recent years prior to the most recently
7 certified state valuation.

8 **Sec. C-29. 20-A MRSA §15674, sub-§1**, as amended by PL 2007, c. 667, §15, is
9 further amended to read:

10 **1. Pupil counts used for determination of operating costs.** In addition to the
11 additional weighted counts authorized under section 15675 and except as provided in
12 subsection 2, the pupil count used for operating costs in this Act is the sum of:

13 A. The average number of secondary school-age persons enrolled in an adult
14 education course counted during the most recent calendar year counted pursuant to
15 section 8605, subsection 2;

16 B. The average number of students in equivalent instruction programs during the
17 most recent calendar year, as reported pursuant to section 5021, subsection 8; and

18 C. ~~The greater of~~ Beginning in fiscal year 2018-19:

19 (1) The average of the 2 pupil counts for ~~April 1st and~~ October 1st of the 2 most
20 recent calendar ~~year~~ years prior to the year of funding, reported in accordance
21 with section 6004, including the counts of students enrolled in an alternative
22 education program made in accordance with section 5104-A; ~~and.~~

23 (2) ~~The average of the 6 pupil counts for April 1st and October 1st of the 3 most~~
24 ~~recent calendar years prior to the year of funding, reported in accordance with~~
25 ~~section 6004, including the counts of students enrolled in an alternative education~~
26 ~~program and counted in accordance with section 5104 A.~~

27 **Sec. C-30. 20-A MRSA §15675, sub-§2**, as enacted by PL 2003, c. 504, Pt. A,
28 §6, is amended to read:

29 **2. Economically disadvantaged students.** For each economically disadvantaged
30 student, ~~a school administrative unit receives an additional weight of .15. The number of~~
31 ~~economically disadvantaged students for each unit is determined by multiplying the~~
32 ~~number of resident pupils in the most recent calendar year by the most recent available~~
33 ~~elementary free or reduced-price meals percentage. The elementary free or reduced-price~~
34 ~~meals percentage may be applied to determine the number of economically disadvantaged~~
35 ~~students in the unit's secondary grades. an eligible school administrative unit receives the~~
36 following additional weights:

37 A. An additional weight of .15. The number of economically disadvantaged students
38 for each school administrative unit is determined by multiplying the number of
39 resident pupils in the most recent calendar year by the most recent available
40 elementary free or reduced-price meals percentage. The elementary free or reduced-

1 price meals percentage may be applied to determine the number of economically
2 disadvantaged students in the unit's secondary grades; and

3 B. An additional weight for approved extended learning programs that specifically
4 benefit economically disadvantaged students equal to .05. The commissioner shall
5 approve qualifying extended learning programs based on evidence-based research by
6 a statewide education policy research institute.

7 To be eligible to receive funds under this paragraph, a school administrative unit
8 must certify that any funds previously received under this section and any funds that
9 will be received are used in direct support of learning for economically disadvantaged
10 students through summer schools, extended learning programs, tutoring and other
11 evidence-based practices conforming to rules developed by the department and
12 informed by evidence from a statewide education policy research institute.

13 **Sec. C-31. 20-A MRSA §15676, sub-§§1 and 2**, as corrected by RR 2011, c. 2,
14 §19, are amended to read:

15 **1. Teaching staff costs.** ~~The Beginning July 1, 2017, the salary and benefit costs for~~
16 ~~school level teaching staff that are necessary to carry out this Act, calculated in~~
17 ~~accordance with section 15678; and adjusted by the regional adjustment under section~~
18 ~~15682 and reduced by the amount of funds received by the school administrative unit~~
19 ~~during the most recent fiscal year under Title I of the federal Elementary and Secondary~~
20 ~~Education Act of 1965, 20 United States Code, Section 6301 et seq.;~~

21 **2. Other staff costs.** ~~The Beginning July 1, 2017, the salary and benefit costs for~~
22 ~~school-level staff who are not teachers, but including substitute teachers, that are~~
23 ~~necessary to carry out this Act, calculated in accordance with section 15679; and adjusted~~
24 ~~by the regional adjustment under section 15682 and reduced by the amount of funds~~
25 ~~received by the school administrative unit during the most recent fiscal year under Title I~~
26 ~~of the federal Elementary and Secondary Education Act of 1965, 20 United States Code,~~
27 ~~Section 6301 et seq.; and~~

28 **Sec. C-32. 20-A MRSA §15678, sub-§2**, as enacted by PL 2003, c. 504, Pt. A,
29 §6, is amended to read:

30 **2. Ratios.** In calculating the salary and benefit costs pursuant to this section, the
31 commissioner shall utilize the following student-to-teacher ratios.

32 A. For the elementary school level, the student-to-teacher ratio is 17:1.

33 B. For the middle school level, beginning July 1, 2017, the student-to-teacher ratio is
34 ~~16:1~~ 17:1.

35 C. For the high school level, beginning July 1, 2017, the student-to-teacher ratio is
36 ~~15:1~~ 16:1.

37 D. For the kindergarten level, beginning July 1, 2018, the student-to-teacher ratio is
38 15:1.

39 **Sec. C-33. 20-A MRSA §15679, sub-§2, ¶¶A and B**, as enacted by PL 2003, c.
40 504, Pt. A, §6, are amended to read:

41 A. For the elementary school level and the middle school level:

- 1 (1) ~~The Beginning July 1, 2017, the~~ student-to-education technician ratio is ~~400:1~~
2 114:1 for the elementary school level and 312:1 for the middle school level;
3 (2) The student-to-guidance staff ratio is 350:1;
4 (3) The student-to-librarian ratio is 800:1;
5 (4) The student-to-media assistant ratio is 500:1;
6 (5) The student-to-health staff ratio is 800:1;
7 (6) The student-to-school administrative staff ratio is 305:1; and
8 (7) The student-to-clerical staff ratio is 200:1.

9 B. For the high school level:

- 10 (1) ~~The Beginning July 1, 2017, the~~ student-to-education technician ratio is ~~250:1~~
11 316:1;
12 (2) The student-to-guidance staff ratio is 250:1;
13 (3) The student-to-librarian ratio is 800:1;
14 (4) The student-to-media assistant ratio is 500:1;
15 (5) The student-to-health staff ratio is 800:1;
16 (6) The student-to-school administrative staff ratio is 315:1; and
17 (7) The student-to-clerical staff ratio is 200:1.

18 **Sec. C-34. 20-A MRSA §15680, sub-§1, ¶A,** as amended by PL 2007, c. 240,
19 Pt. XXXX, §25, is repealed.

20 **Sec. C-35. 20-A MRSA §15680-A** is enacted to read:

21 **§15680-A. System administration allocation**

22 Beginning in fiscal year 2017-18, the commissioner shall determine system
23 administration allocation in accordance with this section based on the number of
24 subsidizable students determined pursuant to section 15674.

25 **1. Fiscal year 2017-18.** For fiscal year 2017-18, the system administration
26 allocation is \$135 per pupil.

27 **2. Fiscal year 2018-19.** For fiscal year 2018-19, the system administration
28 allocation is \$138 per pupil. Of this amount, \$92 must be allocated to the school
29 administrative unit for system administration and \$46 must be allocated as a targeted
30 amount to school administrative units that have established regionalized administrative
31 services pursuant to chapter 123.

32 **3. Fiscal year 2019-20.** For fiscal year 2019-20, the system administration
33 allocation is \$141 per pupil. Of this amount, \$47 must be allocated to the school
34 administrative unit for system administration and \$94 must be allocated as a targeted

1 amount to school administrative units that have established regionalized administrative
2 services pursuant to chapter 123.

3 **4. Beginning in fiscal year 2020-21.** Beginning in fiscal year 2020-21, the per-pupil
4 rate for the system administration allocation must be determined by the commissioner
5 based on a review by a statewide education policy research institute of the system
6 administration costs of high-performing, efficient school administrative units. Only
7 school administrative units that have established regionalized administrative services
8 pursuant to chapter 123 and school administrative units for which the percentage of
9 system administration expenditures of districts identified as high-performing, efficient
10 school administrative units by a statewide education policy research institute are eligible
11 for the system administration allocation.

12 **Sec. C-36. 20-A MRSA §15681, sub-§6,** as enacted by PL 2011, c. 635, Pt. A,
13 §5, is repealed.

14 **Sec. C-37. 20-A MRSA §15681-A, sub-§2,** as enacted by PL 2005, c. 2, Pt. D,
15 §44 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is amended to read:

16 **2. Special education costs.** ~~Beginning in fiscal year 2005-06, a~~ A school
17 administrative unit receives an additional weight of ~~at least 1.20 but not greater than 1.40~~
18 1.50 for each special education student identified on the annual December 1st child count
19 as required by the federal Individuals with Disabilities Education Act for the most recent
20 year, up to a maximum of 15% of the school administrative unit's resident pupils as
21 determined under section 15674, subsection 1, paragraph C, subparagraph (1). For those
22 school administrative units in which the annual December 1st child count for the most
23 recent year is less than 15% of the school administrative unit's resident pupils as
24 determined under section 15674, subsection 1, paragraph C, subparagraph (1), the special
25 education child count percentage may not increase more than 0.5% in any given year, up
26 to a maximum of 1.0% in any given 3-year period. For each special education student
27 above the 15% maximum, the unit receives an additional weight of .38. In addition, each
28 school administrative unit must receive additional ~~funds~~ allocations:

29 A. For lower staff-student ratios and expenditures for related services for school
30 administrative units with fewer than 20 special education students identified on the
31 annual December 1st child count as required by the federal Individuals with
32 Disabilities Education Act for the most recent year;

33 B. For high-cost in-district special education placements. Additional funds must be
34 allocated for each student estimated to cost 3 times the statewide special education
35 EPS per-pupil rate. The additional funds for each student must equal the amount by
36 which that student's estimated costs exceed 3 times the statewide special education
37 EPS per-pupil rate;

38 ~~C. For high-cost out-of-district special education placements. Additional funds must~~
39 ~~be allocated for each student estimated to cost 4 times the statewide special education~~
40 ~~EPS per-pupil rate. The additional funds for each student must equal the amount by~~
41 ~~which that student's estimated costs exceed 4 times the statewide special education~~
42 ~~EPS per-pupil rate; and~~

1 D. ~~To~~ Beginning July 1, 2018, to ensure the school administrative unit meets the
2 federal maintenance of effort requirement for receiving federal Individuals with
3 Disabilities Education Act funds- in accordance with recommendations of any
4 legislative task force established in the First Regular Session of the 128th Legislature
5 to identify special education cost drivers and innovative approaches to services; and

6 E. A separate allocation must be determined for high-cost out-of-district special
7 education placements in accordance with this paragraph.

8 (1) For private school placements, additional funds must be allocated for each
9 student estimated to cost 4 times the statewide special education EPS per-pupil
10 rate. The additional funds for each student must equal the amount by which that
11 student's estimated costs exceed 4 times the statewide special education EPS per-
12 pupil rate.

13 (2) For public school placements, additional funds must be allocated for each
14 student estimated to cost 3 times the statewide special education EPS per-pupil
15 rate. The additional funds for each student must equal the amount by which that
16 student's estimated costs exceed 3 times the statewide special education EPS per-
17 pupil rate.

18 (3) For public regional special education program placements, additional funds
19 must be allocated for each student estimated to cost 2 times the statewide special
20 education EPS per-pupil rate. The additional funds for each student must equal
21 the amount by which that student's estimated costs exceed 2 times the statewide
22 special education EPS per-pupil rate. Resident students for the fiscal agent of the
23 regional special education program are considered out-of-district placements for
24 purposes of this determination. The commissioner may expend and disburse
25 funds pursuant to section 15689, subsection 9 for direct contractual agreements to
26 provide legal services, facilitation services and other services to assist a school
27 administrative unit with planning and implementing a regional special education
28 program.

29 The commissioner shall develop an appeals procedure for calculated special education
30 costs for school administrative units;

31 **Sec. C-38. 20-A MRSA §15681-A, sub-§2-A**, as enacted by PL 2007, c. 240,
32 Pt. XXXX, §27, is repealed.

33 **Sec. C-39. 20-A MRSA §15681-A, sub-§3-A**, as enacted by PL 2007, c. 240,
34 Pt. XXXX, §28, is repealed.

35 **Sec. C-40. 20-A MRSA §15681-A, sub-§4**, as amended by PL 2015, c. 267, Pt.
36 C, §9, is further amended to read:

37 **4. Career and technical education costs.** Career and technical education costs in
38 the base year adjusted to the year prior to the allocation year. This subsection does not
39 apply to the ~~2017-18~~ 2018-19 funding year and thereafter; and

40 **Sec. C-41. 20-A MRSA §15683, sub-§1, ¶E**, as amended by PL 2005, c. 2, Pt.
41 D, §47 and affected by §§72 and 74 and c. 12, Pt. WW, §18, is further amended to read:

1 E. If the school administrative unit is eligible for targeted kindergarten to grade 2
2 funds pursuant to section 15681, subsection 1, the product of the EPS per-pupil rate
3 multiplied by the additional weight for kindergarten to grade 2 calculated pursuant to
4 section 15675, subsection 3; ~~and~~

5 **Sec. C-42. 20-A MRSA §15683, sub-§1, ¶E-1** is enacted to read:

6 E-1. If the school administrative unit is eligible for the targeted extended learning
7 weight pursuant to section 15675, the product of the EPS per-pupil rate multiplied by
8 the additional weight for extended learning calculated pursuant to section 15675,
9 subsection 2; and

10 **Sec. C-43. 20-A MRSA §15686**, as amended by PL 2005, c. 519, Pt. AAAA,
11 §11, is repealed.

12 **Sec. C-44. 20-A MRSA §15686-A**, as amended by PL 2015, c. 389, Pt. C, §6 and
13 c. 489, §8, is further amended to read:

14 **§15686-A. Review of essential programs and services components**

15 **1. Components to be reviewed beginning in fiscal year 2017-18.** Beginning in
16 fiscal year ~~2006-07~~ 2017-18, and at least every 3 years thereafter, the commissioner,
17 using information provided by a statewide education policy research institute, shall
18 review the essential programs and services student-to-staff ratios, salary and benefits
19 matrices, ~~transportation~~, small schools adjustments, labor markets and gifted and talented
20 components and components related to implementation of proficiency-based reporting
21 and graduation requirements under this chapter and shall submit to the joint standing
22 committee of the Legislature having jurisdiction over education matters any
23 recommended changes for legislative action.

24 **2. Components to be reviewed beginning in fiscal year 2018-19.** Beginning in
25 fiscal year ~~2007-08~~ 2018-19, and at least every 3 years thereafter, the commissioner,
26 using information provided by a statewide education policy research institute, shall
27 review the essential programs and services career and technical education, special
28 education, specialized student populations, system administration and operations and
29 maintenance components under this chapter and shall submit to the joint standing
30 committee of the Legislature having jurisdiction over education matters any
31 recommended changes for legislative action.

32 **3. Components to be reviewed beginning in fiscal year 2019-20.** Beginning in
33 fiscal year ~~2008-09~~ 2019-20, and at least every 3 years thereafter, the commissioner,
34 using information provided by a statewide education policy research institute, shall
35 review the essential programs and services professional development, student assessment,
36 technology, transportation, leadership support, cocurricular and extra-curricular activities,
37 supplies and equipment and, beginning in fiscal year 2016-17, charter school components
38 under this chapter and shall submit to the joint standing committee of the Legislature
39 having jurisdiction over education matters any recommended changes for legislative
40 action.

41 ~~**4. Components to be reviewed beginning in fiscal year 2017-18.** Beginning in~~
42 ~~fiscal year 2017-18, and at least every 3 years thereafter, the commissioner, using~~

1 ~~information provided by a statewide education policy research institute, shall review the~~
2 ~~essential programs and services components under this chapter related to implementation~~
3 ~~of proficiency based reporting and graduation requirements and shall submit to the joint~~
4 ~~standing committee of the Legislature having jurisdiction over education matters any~~
5 ~~recommended legislative changes.~~

6 The commissioner may adjust the schedule by replacing one component in one year
7 with another component in another year if information on a specific component is needed
8 in an earlier time frame. This replacement may not result in a component's being
9 reviewed beyond a 4-year period. The commissioner may include a review of one or
10 more of the components from sections 15688-A, 15689 and 15689-A to the schedule in
11 addition to the components listed in this section.

12 **Sec. C-45. 20-A MRSA §15688-A, sub-§1**, as amended by PL 2015, c. 267, Pt.
13 C, §10, is further amended to read:

14 **1. Career and technical education costs.** Beginning in fiscal year ~~2017-18~~ 2018-
15 19, the allocation for career and technical education must be based upon a program-
16 driven model that considers components for direct instruction, central administration,
17 supplies, operation and maintenance of plant, other student and staff support and
18 equipment. Monthly payments must be made directly to school administrative units with
19 career and technical education centers and directly to career and technical education
20 regions. If a school administrative unit with a career and technical education center or a
21 career and technical education region has any unexpended funds at the end of the fiscal
22 year, these funds must be carried forward for the purposes of career and technical
23 education.

24 **Sec. C-46. 20-A MRSA §15688-A, sub-§3**, as amended by PL 2015, c. 489, §9,
25 is repealed.

26 **Sec. C-47. 20-A MRSA §15688-A, sub-§5**, as enacted by PL 2015, c. 267, Pt.
27 C, §11, is amended to read:

28 **5. School improvement and support.** The commissioner may expend and disburse
29 funds to support school improvement activities to school administrative units whose
30 eligibility and priority is established pursuant to section 6214 in accordance with chapter
31 222.

32 **Sec. C-48. 20-A MRSA §15688-A, sub-§7**, as enacted by PL 2015, c. 267, Pt.
33 C, §11, is repealed.

34 **Sec. C-49. 20-A MRSA §15689, sub-§1, ¶A**, as amended by PL 2013, c. 1, Pt.
35 C, §4, is further amended to read:

36 A. The sum of the following calculations:

37 (1) Multiplying 5% of each school administrative unit's essential programs and
38 services per-pupil elementary rate by the average number of resident kindergarten
39 to grade 8 pupils as determined under section 15674, subsection 1, paragraph C,
40 subparagraph (1); and

1 (2) Multiplying 5% of each school administrative unit's essential programs and
2 services per-pupil secondary rate by the average number of resident grade 9 to
3 grade 12 pupils as determined under section 15674, subsection 1, paragraph C,
4 subparagraph (1); and

5 ~~The 5% factor in subparagraphs (1) and (2) must be replaced by: 4% for the 2009-10~~
6 ~~funding year including funds provided under Title XIV of the State Fiscal~~
7 ~~Stabilization Fund of the American Recovery and Reinvestment Act of 2009; 3% for~~
8 ~~the 2010-11 funding year including funds provided under Title XIV of the State~~
9 ~~Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009;~~
10 ~~3% for the 2011-12 funding year; and 3% for the 2012-13 funding year and~~
11 ~~subsequent years; and~~

12 **Sec. C-50. 20-A MRSA §15689, sub-§1, ¶B**, as amended by PL 2015, c. 389,
13 Pt. C, §7, is further amended to read:

14 B. The school administrative unit's special education costs as calculated pursuant to
15 section 15681-A, subsection 2 multiplied by the following transition percentages:

- 16 (1) In fiscal year 2005-06, 84%;
- 17 (2) In fiscal year 2006-07, 84%;
- 18 (3) In fiscal year 2007-08, 84%;
- 19 (4) In fiscal year 2008-09, 45%;
- 20 (5) In fiscal year 2009-10, 40% including funds provided under Title XIV of the
21 State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act
22 of 2009;
- 23 (6) In fiscal year 2010-11, 35% including funds provided under Title XIV of the
24 State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act
25 of 2009;
- 26 (7) In fiscal year 2011-12, 30%;
- 27 (8) In fiscal year 2012-13, 30%;
- 28 (9) In fiscal year 2013-14, 35%;
- 29 (10) In fiscal year 2014-15, 30%;
- 30 (11) In fiscal year 2015-16, 30%;
- 31 (12) In fiscal year 2016-17, 30%;
- 32 (13) In fiscal year 2017-18, ~~35%~~ 33%;
- 33 (14) In fiscal year 2018-19, 40%;
- 34 (15) In fiscal year 2019-20, 45%; and
- 35 (16) In fiscal year 2020-21 and succeeding years, 50%.

1 **Sec. C-51. 20-A MRSA §15689, sub-§11, ¶B**, as amended by PL 2013, c. 1, Pt.
2 C, §5, is further amended to read:

3 B. The amount of the adjustment for economically disadvantaged students is the
4 difference, but not less than zero, between the state share of the total allocation under
5 this chapter and the amount computed as the school administrative unit's total
6 allocation for economically disadvantaged students, multiplied by the relevant
7 percentage in subsection 1, paragraph B. ~~For the 2012-13 funding year, this~~
8 ~~adjustment is reduced to 98% of the amount otherwise calculated under this~~
9 ~~paragraph.~~

10 **Sec. C-52. 20-A MRSA §15689, sub-§13, ¶A**, as reallocated by RR 2011, c. 2,
11 §20, is amended to read:

12 A. Approval of bus refurbishing must be based on eligibility requirements
13 established by the commissioner, including, but not limited to, the age, mileage and
14 expected useful life of the bus. Bus refurbishing includes safety upgrades and may
15 include technology capability.

16 **Sec. C-53. 20-A MRSA §15689, sub-§§14 and 15** are enacted to read:

17 **14. MaineCare seed for school administrative units.** The commissioner may
18 deduct from a school administrative unit's state subsidy and pay on behalf of the school
19 administrative unit allowable school-based costs that represent the school administrative
20 unit's portion of MaineCare payments. A transfer of payment by the department to the
21 Department of Health and Human Services must be made pursuant to a schedule agreed
22 upon by the Department of Health and Human Services and the department and in a
23 manner that remains in compliance with federal intergovernmental transfer requirements.
24 No later than 90 days after the incurrence of allowable school-based payments to schools,
25 the Department of Health and Human Services shall provide the detailed payment
26 information to the department. The department shall make this information available and
27 apply the adjustment to the appropriate school administrative units within 30 days of
28 receipt of the detailed payment information from the Department of Health and Human
29 Services.

30 **15. Special education budgetary hardship adjustment.** Beginning in fiscal year
31 2018-19, the following provisions apply to adjustments for special education budgetary
32 hardships.

33 A. If a school administrative unit determined eligible pursuant to paragraph B
34 petitions the commissioner and demonstrates that the unexpected education costs of
35 placement of a student in a special education program will cause a budgetary
36 hardship, the commissioner may provide to the unit an amount not to exceed the
37 allowable costs of the placement less 3 times the statewide special education EPS
38 per-pupil rate for in-district placements or less 4 times the statewide special education
39 EPS per-pupil rate for out-of-district placements. The allowable costs are those
40 special education costs described in section 15672, subsection 30-A, paragraphs A
41 and B.

42 B. The commissioner shall determine that a school administrative unit is eligible for
43 an adjustment under paragraph A if:

1 (1) The student's placement is a result of an appeal approved by the
2 commissioner pursuant to section 5205, subsection 6 or the student became the
3 fiscal responsibility of the school administrative unit after the passage of that
4 unit's budget for the current fiscal year; and

5 (2) The school administrative unit's unexpected allowable costs result in a 5% or
6 more increase in the percentage of the unit's special education budget category to
7 the unit's total budget excluding the debt service budget category.

8 C. The funds for adjustments under paragraph A are limited to the amount
9 appropriated by the Legislature for that purpose, and any unexpended balance from
10 another program's appropriated amounts under this chapter may be applied by the
11 commissioner toward the adjustments.

12 D. A school administrative unit may expend the funds from the adjustment under
13 paragraph A without seeking approval by the unit's legislative body.

14 **Sec. C-54. 20-A MRSA §15689-A**, as amended by PL 2015, c. 63, §1 and c. 267,
15 Pt. C, §§13 and 14 and Pt. GGG, §2 and corrected by RR 2015, c. 1, §15, is further
16 amended to read:

17 **§15689-A. Authorization of payment of targeted education funds**

18 **1. Payment of state agency client costs.** State agency client costs are payable
19 pursuant to this subsection. As used in this subsection, "state agency client" has the same
20 meaning as defined in section 1, subsection 34-A.

21 A. The commissioner shall approve special education costs and supportive services,
22 including transportation, for all state agency clients placed in residential placements
23 by an authorized agent of a state agency.

24 B. Special education costs authorized by this subsection for state agency clients must
25 be paid by the department in the allocation year at 100% of actual costs.

26 C. The commissioner shall pay only approved special education costs and supportive
27 services, including transportation, authorized by this subsection for state agency
28 clients and may not allocate for those special education costs and supportive services,
29 including transportation, incurred by the school administrative unit for state agency
30 clients in the base years starting July 1, 1985, and every base year thereafter.

31 D. Transportation costs for state agency clients, when provided in accordance with
32 rules established by the commissioner under section 7204, must be paid by the
33 department in the allocation year at 100% of actual costs.

34 E. The commissioner may pay tuition to school administrative units or private
35 schools for the education of institutional residents within the limits of the allocation
36 made under this section.

37 F. The commissioner may deduct from these funds and pay on behalf of the state
38 agency clients allowable school-based costs that represent the State's portion of
39 MaineCare payments. A transfer of payment by the department to the Department of
40 Health and Human Services must be made pursuant to a schedule agreed upon by the

1 Department of Health and Human Services and the department and in a manner that
2 remains in compliance with federal intergovernmental transfer requirements.

3 ~~**2. Education of institutional residents.** The commissioner may pay tuition to~~
4 ~~school administrative units or private schools for institutional residents within the limits~~
5 ~~of the allocation made under this section.~~

6 **3. Essential programs and services components contract.** The commissioner may
7 contract for the updating of the essential programs and services component with a
8 statewide education research institute.

9 ~~**4. Learning results implementation, assessment and accountability.** The~~
10 ~~commissioner may expend and disburse funds limited to the amount appropriated by the~~
11 ~~Legislature to carry out the purposes of Public Law 1995, chapter 649, sections 5 and 8.~~

12 **6. Education research contract.** The commissioner may contract for the
13 compilation and analysis of education data with a statewide education research institute.

14 **7. Disbursement limitations.** The funds disbursed in accordance with this section
15 are limited to the amounts appropriated by the Legislature for these purposes.

16 ~~**8. Laptop program.** The commissioner may pay costs attributed to the contracted~~
17 ~~support services and annual payments for a program that provides laptop computers to~~
18 ~~middle school students.~~

19 **9. Emergency bus loan.** The commissioner may pay annual payments for an
20 emergency bus loan.

21 **10. Data management and support services for essential programs and services.**
22 The commissioner may pay costs attributed to system maintenance and staff support
23 ~~consisting of 11~~ positions that provide professional and administrative support to general
24 purpose aid for local schools necessary to implement the requirements of the Essential
25 Programs and Services Funding Act.

26 **11. Courses for credit at eligible postsecondary institutions.** The commissioner
27 may pay costs for secondary students to take postsecondary courses at eligible
28 institutions. For the purposes of this subsection, "secondary student" includes a student
29 in a home instruction program pursuant to section 5001-A, subsection 3, paragraph A,
30 subparagraph (4) but does not include a student that is not a resident of the State pursuant
31 to section 5205, subsection 10.

32 **12. National board certification salary supplement.** The commissioner may pay
33 annual salary supplement payments to school administrative units or a publicly supported
34 secondary school for payment to school teachers who have attained certification from the
35 National Board for Professional Teaching Standards or its successor organization
36 pursuant to section 13013-A.

37 **12-A. Learning through technology.** The commissioner may pay costs attributed
38 to professional and administrative staff support consisting of one Education Team and
39 Policy Director position, 2 Education Specialist III positions, one Planning and Research
40 Associate I position, one Director of Special Projects position and 2 Education Specialist
41 II positions, professional development and training in the use of open educational
42 resources and open-source textbooks and system maintenance for a program that

1 promotes learning through technology. A transfer of All Other funds from the General
2 Purpose Aid for Local Schools account to the All Other line category in the Learning
3 Through Technology General Fund nonlapsing account sufficient to support the All Other
4 costs and the agreement that provides one-to-one wireless computers for 7th grade, 8th
5 grade and high school students and educators may occur annually by financial order upon
6 recommendation of the State Budget Officer and approval of the Governor.

7 **13. Jobs for Maine's Graduates.** The commissioner may expend and disburse
8 funds for the Jobs for Maine's Graduates in accordance with the provisions of chapter
9 226.

10 **14. Maine School of Science and Mathematics.** The commissioner may expend
11 and disburse funds for the Maine School of Science and Mathematics in accordance with
12 the provisions of chapter 312.

13 **15. Maine Educational Center for the Deaf and Hard of Hearing and the**
14 **Governor Baxter School for the Deaf.** The commissioner may expend and disburse
15 funds for the Maine Educational Center for the Deaf and Hard of Hearing and the
16 Governor Baxter School for the Deaf in accordance with provisions of chapter 304.

17 **16. Transportation administration.** The commissioner may pay costs attributed to
18 ~~one Education Specialist III position~~ professional and administrative staff support and
19 system maintenance necessary to implement the transportation requirements of this
20 chapter and chapter 215.

21 **17. Special education and coordination of services for juvenile offenders.** The
22 commissioner may pay certain costs attributed to staff support and associated operating
23 costs for providing special education and providing coordination of education, treatment
24 and other services to juvenile offenders at youth development centers in ~~Charleston and~~
25 South Portland. A transfer of All Other funds from the General Purpose Aid for Local
26 Schools account to the Personal Services and All Other line categories in the Long Creek
27 Youth Development Center General Fund account within the Department of Corrections,
28 sufficient to support 2 Teacher positions, ~~and to the Mountain View Youth Development~~
29 ~~Center General Fund account within the Department of Corrections, sufficient to support~~
30 ~~one Teacher~~ one Education Specialist II position and one Office Associate II position,
31 may occur annually by financial order upon recommendation of the State Budget Officer
32 and approval of the Governor.

33 ~~**18. Coordination of services for juvenile offenders.** The commissioner may pay~~
34 ~~certain costs attributed to staff support and associated operating costs for providing~~
35 ~~coordination of education, treatment and other services for juvenile offenders at youth~~
36 ~~development centers in Charleston and South Portland. A transfer of All Other funds~~
37 ~~from the General Purpose Aid for Local Schools account to the Personal Services and All~~
38 ~~Other line categories in the Long Creek Youth Development Center, General Fund~~
39 ~~account within the Department of Corrections sufficient to support one Education~~
40 ~~Specialist II position and one Office Associate II position and to the Mountain View~~
41 ~~Youth Development Center, General Fund account within the Department of Corrections~~
42 ~~sufficient to support one Education Specialist II position and one Office Associate II~~
43 ~~position may occur annually by financial order upon recommendation of the State Budget~~
44 ~~Officer and approval of the Governor.~~

1 **19. Miscellaneous costs limitations.** The amounts of the miscellaneous costs
2 pursuant to this section are limited to the amounts appropriated by the Legislature for
3 these costs.

4 **20. Center of Excellence for At-risk Students.** The commissioner may expend and
5 disburse funds for the Center of Excellence for At-risk Students in accordance with the
6 provisions of chapter 227.

7 This subsection is repealed July 1, 2019.

8 **21. Fund for the Efficient Delivery of Educational Services.** The commissioner
9 may expend and disburse funds from the Fund for the Efficient Delivery of Educational
10 Services in accordance with the provisions of chapter 114-A.

11 ~~**22. MaineCare seed for school administrative units.** The commissioner may~~
12 ~~deduct from a school administrative unit's state subsidy and pay on behalf of the school~~
13 ~~administrative unit allowable school-based costs that represent the school administrative~~
14 ~~unit's portion of MaineCare payments. A transfer of payment by the department to the~~
15 ~~Department of Health and Human Services must be made pursuant to a schedule agreed~~
16 ~~upon by the Department of Health and Human Services and the department and in a~~
17 ~~manner that remains in compliance with federal intergovernmental transfer requirements.~~
18 ~~No later than 90 days after the incurrence of allowable school-based payments to schools,~~
19 ~~the Department of Health and Human Services shall provide the detailed payment~~
20 ~~information to the department. The department shall make this information available and~~
21 ~~apply the adjustment to the appropriate school administrative units within 30 days of~~
22 ~~receipt of the detailed payment information from the Department of Health and Human~~
23 ~~Services.~~

24 **23. Comprehensive early college programs.** The commissioner may expend and
25 disburse funds to support early college programs that:

26 A. Provide secondary students with the opportunity to graduate from high school in 4
27 years with a high school diploma and at least 30 regionally accredited transferable
28 postsecondary credits allowing for completion of an associate degree within one
29 additional year of postsecondary schooling;

30 B. Involve a high school, a career and technical education center or region and one
31 or more institutions of higher education;

32 C. Organize students into cohort groups and provide them with extensive additional
33 guidance and support throughout the program with the goals of raising aspirations,
34 increasing employability and encouraging postsecondary degree attainment; and

35 D. Maintain a focus on serving students who might not otherwise pursue a
36 postsecondary education.

37 ~~**24. Postsecondary education attainment in Androscoggin County.** The~~
38 ~~commissioner shall expend and disburse \$75,000 in fiscal year 2015-16 and \$75,000 in~~
39 ~~fiscal year 2016-17 to support postsecondary education attainment in Androscoggin~~
40 ~~County.~~

41 **25. Community schools.** The commissioner may expend and disburse funds for the
42 establishment of community schools in accordance with the provisions of chapter 333.

1 This subsection is repealed July 1, 2021.

2 **26. Maine School for Marine Science, Technology, Transportation and**
3 **Engineering.** The commissioner may expend and disburse funds for the Maine School
4 for Marine Science, Technology, Transportation and Engineering in accordance with the
5 provisions of chapter 312-A.

6 **Sec. C-55. 20-A MRSA §15689-B, sub-§2-A,** as enacted by PL 2015, c. 54, §7,
7 is amended to read:

8 **2-A. Notification of state contribution to public charter schools.** The
9 commissioner shall annually, prior to February 1st, notify the governing board of each
10 public charter school of the estimated amount of state contribution to be allocated to the
11 public charter school pursuant to section 15683-B and post these estimated contributions
12 on the department's publicly accessible website. The posted state contributions must be
13 itemized for each public charter school within a single table and include the complete
14 totals allocated for each public charter school including the amounts directed to the
15 Maine Charter School Commission. These tabulations must be maintained as yearly
16 records and updated whenever the department recalculates any allocations.

17 **Sec. C-56. 20-A MRSA §15905, sub-§1, ¶A,** as amended by PL 2015, c. 389,
18 Pt. C, §10, is further amended to read:

19 A. The state board may approve projects as long as no project approval will cause
20 debt service costs, as defined in section 15672, subsection 2-A, paragraph A and
21 pursuant to Resolve 2007, chapter 223, section 4, to exceed the maximum limits
22 specified in Table 1 in subsequent fiscal years.

	Table 1		
	Major Capital		Integrated, Consolidated Secondary and Postsecondary Project
	Fiscal year	Maximum Debt Service Limit	Maximum Debt Service Limit
1			
2			
3			
4			
5			
6	1990	\$ 48,000,000	
7	1991	\$ 57,000,000	
8	1992	\$ 65,000,000	
9	1993	\$ 67,000,000	
10	1994	\$ 67,000,000	
11	1995	\$ 67,000,000	
12	1996	\$ 67,000,000	
13	1997	\$ 67,000,000	
14	1998	\$ 67,000,000	
15	1999	\$ 69,000,000	
16	2000	\$ 72,000,000	
17	2001	\$ 74,000,000	
18	2002	\$ 74,000,000	
19	2003	\$ 80,000,000	
20	2004	\$ 80,000,000	
21	2005	\$ 84,000,000	
22	2006	\$ 90,000,000	
23	2007	\$ 96,000,000	
24	2008	\$100,000,000	
25	2009	\$104,000,000	
26	2010	\$108,000,000	
27	2011	\$126,000,000	
28	2012	\$116,000,000	
29	2013	\$116,000,000	
30	2014	\$126,000,000	\$10,000,000
31	2015	\$126,000,000	\$10,000,000
32	2016	\$126,000,000	\$10,000,000
33	2017	\$126,000,000	\$10,000,000
34	2018	\$126,000,000	\$10,000,000
35	2019	\$126,000,000	\$10,000,000
36	<u>2020</u>	<u>\$126,000,000</u>	<u>\$20,000,000</u>
37	<u>2021</u>	<u>\$126,000,000</u>	<u>\$20,000,000</u>
38	<u>2022</u>	<u>\$126,000,000</u>	<u>\$20,000,000</u>
39	<u>2023</u>	<u>\$126,000,000</u>	<u>\$20,000,000</u>

40 **Sec. C-57. PL 2015, c. 389, Pt. A, §1, sub-§3, first ¶** is amended to read:

41 **3. Meetings; duties.** The commission shall meet at least 6 times ~~each year~~ in 2016
 42 ~~and in 2017~~. In order to identify solutions to lower the cost of public education and
 43 improve student performance, the commission shall collect and analyze data from all
 44 public secondary and postsecondary education units in the State that receive state
 45 funding. In conducting its review and analysis, the commission may:

1 **Sec. C-58. PL 2015, c. 389, Pt. A, §1, sub-§§5 and 6** are amended to read:

2 **5. Report; legislation.** By January 10, 2017 ~~and January 10, 2018~~, the commissioner
3 shall submit to the Governor and the joint standing committee of the Legislature having
4 jurisdiction over education matters a report of the commission that includes findings and
5 recommendations for action to reform public education funding and improve student
6 performance in the State. Notwithstanding Joint Rule 353, upon submission of ~~each~~ the
7 report of the commission, the commissioner is authorized to submit to the Legislature a
8 bill to implement the commission's recommendations.

9 **6. Expiration of commission.** The commission is authorized until ~~July 31, 2018~~ July
10 1, 2017.

11 **Sec. C-59. Mill expectation.** No later than 30 days following the effective date
12 of this Part, the Department of Education, based on this Part, shall calculate the mill
13 expectation pursuant to the Maine Revised Statutes, Title 20-A, section 15671-A for
14 fiscal year 2017-18. The mill expectation calculated by the department pursuant to this
15 section is the mill expectation for fiscal year 2017-18. The department shall immediately
16 report the mill expectation to the Joint Standing Committee on Appropriations and
17 Financial Affairs and the Joint Standing Committee on Education and Cultural Affairs.

18 **Sec. C-60. Total cost of funding public education from kindergarten to**
19 **grade 12.** The total cost of funding public education from kindergarten to grade 12 for
20 fiscal year 2017-18 is as follows:

	2017-18
	TOTAL
Total Operating Allocation	
Total operating allocation pursuant to the Maine Revised	\$1,410,957,308
Statutes, Title 20-A, section 15683 before transition	
adjustment pursuant to Title 20-A, section 15671, subsection 7	

28

1	Total operating allocation pursuant to Title 20-A, section	\$1,392,639,397
2	15683 after transition adjustment pursuant to Title 20-A,	
3	section 15671, subsection 7	
4		
5	Total adjustments to state subsidy pursuant to Title 20-A,	\$520,962,183
6	section 15689 included in subsidizable costs and total other	
7	subsidizable costs pursuant to Title 20-A, section 15681-A	
8		
9	Total Operating Allocation and Subsidizable Costs	
10		
11	Total operating allocation pursuant to Title 20-A, section	\$1,913,601,580
12	15683 and total other subsidizable costs pursuant to Title	
13	20-A, section 15681-A	
14		
15	Total Debt Service Allocation	
16		
17	Total debt service allocation pursuant to Title 20-A, section	\$87,568,693
18	15683-A	
19		
20	Total Adjustments and Targeted Education Funds	
21		
22	Adjustments pursuant to Title 20-A, section 15689	
23	Audit adjustments pursuant to Title 20-A, section 15689,	\$250,000
24	subsection 4	
25	Educating students in long-term drug treatment center	\$374,432
26	adjustments pursuant to Title 20-A, section 15689,	
27	subsection 5	
28	Regionalization, consolidation and efficiency assistance	\$0
29	adjustments pursuant to Title 20-A, section 15689,	
30	subsection 9	
31	Bus refurbishing program adjustments pursuant to Title	\$180,123
32	20-A, section 15689, subsection 13	
33	MaineCare seed payments adjustments pursuant to Title	\$642,466
34	20-A, section 15689, subsection 14	
35		
36	Total adjustments to the state share of the total allocation	\$1,447,021
37	pursuant to Title 20-A, section 15689	
38		
39	Special education costs for state agency clients and state	\$26,440,054
40	wards pursuant to Title 20-A, section 15689-A, subsection	
41	1	

1	Essential programs and services components contract	\$300,000
2	pursuant to Title 20-A, section 15689-A, subsection 3	
3	Education research institute contract pursuant to Title	\$250,000
4	20-A, section 15689-A, subsection 6	
5	Learning through technology program pursuant to Title	\$14,417,986
6	20-A, section 15689-A, subsections 8 and 12-A	
7	Emergency bus loan pursuant to Title 20-A, section	\$0
8	15689-A, subsection 9	
9	Data management and support services for essential	\$5,950,522
10	programs and services pursuant to Title 20-A, section	
11	15689-A, subsection 10	
12	Postsecondary course payments pursuant to Title 20-A,	\$2,000,000
13	section 15689-A, subsection 11	
14	National board certification salary supplement pursuant to	\$307,551
15	Title 20-A, section 15689-A, subsection 12	
16	Jobs for Maine's Graduates including college pursuant to	\$3,545,379
17	Title 20-A, section 15689-A, subsection 13	
18	Maine School of Science and Mathematics pursuant to	\$3,615,347
19	Title 20-A, section 15689-A, subsection 14	
20	Maine Educational Center for the Deaf and Hard of	\$7,769,215
21	Hearing pursuant to Title 20-A, section 15689-A,	
22	subsection 15	
23	Transportation administration pursuant to Title 20-A,	\$139,235
24	section 15689-A, subsection 16	
25	Special education for juvenile offenders (Department of	\$375,447
26	Corrections positions, prior to fiscal year 2017-18)	
27	pursuant to Title 20-A, section 15689-A, subsection 17	
28	Center of Excellence for At-risk Students pursuant to Title	\$200,000
29	20-A, section 15689-A, subsection 20	
30	Fund for the Efficient Delivery of Educational Services	\$0
31	pursuant to Title 20-A, section 15689-A, subsection 21	
32	Comprehensive early college programs funding (bridge	\$1,000,000
33	year program) pursuant to Title 20-A, section 15689-A,	
34	subsection 23	
35	Community school pilots (3 pilot projects for 5 years)	\$50,000
36	pursuant to Title 20-A, section 15689-A, subsection 25	
37	Maine School for Marine Science, Technology,	\$0
38	Transportation and Engineering pursuant to Title 20-A,	
39	section 15689-A, subsection 26	
40		
41	Total targeted education funds pursuant to Title 20-A, section	\$66,360,736
42	15689-A	

1		
2	Enhancing student performance and opportunity pursuant to	
3	Title 20-A, section 15688-A	
4	Career and technical education costs pursuant to Title	\$0
5	20-A, section 15688-A, subsection 1	
6	College transitions programs through adult education	\$450,000
7	college readiness programs pursuant to Title 20-A, section	
8	15688-A, subsection 2	
9	School improvement and support pursuant to Title 20-A,	\$0
10	section 15688-A, subsection 5	
11	National industry standards for career and technical	\$1,000,000
12	education pursuant to Title 20-A, section 15688-A,	
13	subsection 6	
14	New or expanded public preschool pursuant to Title 20-A,	\$0
15	section 15688-A, subsection 4	
16		
17	Total enhancing student performance and opportunity	\$1,450,000
18	pursuant to Title 20-A, section 15688-A	
19		
20	Total Cost of Funding Public Education from Kindergarten to	
21	Grade 12	
22		
23	Total cost of funding public education from kindergarten to	\$2,070,428,030
24	grade 12 for fiscal year pursuant to Title 20-A, chapter	
25	606-B, not including normal retirement costs	
26		
27	Total normal cost of teacher retirement	\$45,274,070
28		
29	Total cost of funding public education from kindergarten to	\$2,115,702,100
30	grade 12 for fiscal year pursuant to Title 20-A, chapter	
31	606-B, including normal retirement costs	
32		
33	Adjustment pursuant to Title 20-A, section 15683,	\$42,328,719
34	subsection 2	
35		
36	Total cost of funding public education from kindergarten to	\$2,158,030,819
37	grade 12 for fiscal year pursuant to Title 20-A, chapter	
38	606-B, including normal retirement costs and adjustment	
39	pursuant to Title 20-A, section 15683, subsection 2	
40		

1	Total cost of state contribution to the unfunded actuarial	\$172,880,735
2	liabilities of the Maine Public Employees Retirement	
3	System that are attributable to teachers, retired teachers'	
4	health insurance and retired teachers' life insurance for	
5	fiscal year 2017-18 pursuant to Title 5, chapters 421 and	
6	423, excluding the normal cost of teacher retirement	
7		
8	Total cost of funding public education from kindergarten to	\$2,330,911,554
9	grade 12 plus state contributions to the unfunded actuarial	
10	liabilities of the Maine Public Employees Retirement	
11	System that are attributable to teachers, retired teachers'	
12	health insurance and retired teachers' life insurance for	
13	fiscal year 2017-18 pursuant to Title 5, chapters 421 and	
14	423	

15 **Sec. C-61. Local and state contributions to total cost of funding public**
16 **education from kindergarten to grade 12.** The local contribution and the state
17 contribution appropriation provided for general purpose aid for local schools for the fiscal
18 year beginning July 1, 2017 and ending June 30, 2018 is calculated as follows:

19		2017-18	2017-18
20		LOCAL	STATE
21	Local and State Contributions to the		
22	Total Cost of Funding Public Education		
23	from Kindergarten to Grade 12		
24			
25	Local and state contributions to the total	\$1,076,143,563	\$1,039,558,537
26	cost of funding public education from		
27	kindergarten to grade 12 pursuant to the		
28	Maine Revised Statutes, Title 20-A,		
29	section 15683, subject to statewide		
30	distributions required by law		
31			
32	Total cost of state contribution to the		\$172,880,735
33	unfunded actuarial liabilities of the		
34	Maine Public Employees Retirement		
35	System that are attributable to teachers,		
36	retired teachers' health insurance and		
37	retired teachers' life insurance for fiscal		
38	years 2017-18 pursuant to Title 5,		
39	chapters 421 and 423, excluding the		
40	normal cost of teacher retirement		
41			

1 State contribution to the total cost of \$1,212,439,272
2 funding public education from
3 kindergarten to grade 12 plus state
4 contribution to the unfunded actuarial
5 liabilities of the Maine Public
6 Employees Retirement System that are
7 attributable to teachers, retired teachers'
8 health insurance and retired teachers'
9 life insurance pursuant to Title 5,
10 chapters 421 and 423

11 **Sec. C-62. Authorization of payments.** If the State's continued obligation for
12 any individual component contained in those sections of this Part that set the total cost of
13 funding public education from kindergarten to grade 12 and the local and state
14 contributions for that purpose exceeds the level of funding provided for that component,
15 any unexpended balances occurring in other programs may be applied to avoid proration
16 of payments for any individual component. Any unexpended balances from this Part may
17 not lapse but must be carried forward for the same purpose.

18 **Sec. C-63. Limit of State's obligation.** Those sections of this Part that set the
19 total cost of funding public education from kindergarten to grade 12 and the local and
20 state contributions for that purpose may not be construed to require the State to provide
21 payments that exceed the appropriation of funds for general purpose aid for local schools
22 for the fiscal year beginning July 1, 2017 and ending June 30, 2018.

23 **Sec. C-64. Adverse impact adjustment in fiscal year 2017-18.** If a school
24 administrative unit's state share of the total allocation in fiscal year 2017-18 is less than
25 the unit's state share of the total allocation under the Governor's recommended funding
26 level published on the Department of Education's publicly accessible website on February
27 16, 2017, the Commissioner of Education shall determine whether the school
28 administrative unit is eligible for, and the commissioner may grant, an adjustment under
29 this section equal to the difference between the school administrative unit's state share of
30 the total allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15688,
31 subsection 3-A, paragraph D and the school administrative unit's state share of the total
32 allocation under the Governor's recommended funding level published on the Department
33 of Education's publicly accessible website on February 16, 2017.

34 **Sec. C-65. Reviews and recommendations by Commissioner of**
35 **Education.** The Commissioner of Education shall undertake reviews of the following
36 issues and shall develop recommendations in accordance with this section.

37 1. The commissioner shall review models for state support for direct instruction and
38 equitable teacher compensation. The commissioner shall build on the recommendations
39 of the commission to reform public education funding and improve student performance
40 in the State that was convened pursuant to Public Law 2015, chapter 389 and shall use
41 information provided by a statewide education policy research institute to formulate
42 recommendations. Based on this review, the commissioner shall develop a plan for

1 improved compensation and retention of effective teachers across the State. The plan
2 must provide targeted state support for direct instruction and student learning, include a
3 proposal for statewide or regional teacher contracts and implement a system to measure
4 effectiveness, ensure that school administrative units are held accountable for the
5 intended use of the state funds and ensure that direct instructional programs and services
6 are available to all students in all schools on an equitable basis. The plan must be
7 designed for implementation no later than the 2019-2020 school year, and the plan,
8 including any necessary implementing legislation, must be submitted by January 15, 2019
9 to the joint standing committee of the Legislature having jurisdiction over education
10 matters.

11 2. The commissioner shall review other components of the school funding model.
12 The commissioner, using information provided by a statewide education policy research
13 institute, shall review the models for funding direct instruction, support for student
14 learning, gifted and talented education and the miscellaneous targeted allocations under
15 the Maine Revised Statutes, Title 20-A, section 15689-A for Jobs for Maine’s Graduates,
16 the Maine School of Science and Mathematics, the Maine Educational Center for the
17 Deaf and Hard of Hearing and the Governor Baxter School for the Deaf, the Center of
18 Excellence for At-risk Students, the Maine School for Marine Science, Technology and
19 Engineering, community schools, courses for credit at eligible postsecondary institutions
20 and comprehensive early college programs and make recommendations for providing
21 allocations for these programs within the adjustments and operating allocations of the
22 essential programs and services funding model to ensure equity of opportunity. The
23 commissioner shall submit the recommendations, including any proposed implementing
24 legislation, by January 15, 2019 to the joint standing committee of the Legislature having
25 jurisdiction over education matters.

26 3. The commissioner shall conduct a review of system administration allocations. For
27 fiscal year 2020-21, using information provided by a statewide education policy research
28 institute, the commissioner shall also review the per-pupil allocation for system
29 administration for adequacy and equity in comparison to actual system administration
30 expenditures of school administrative units with enrollments of over 2,500 students and
31 shall submit to the joint standing committee of the Legislature having jurisdiction over
32 education matters prior to January 15, 2022 any recommended changes to laws relating to
33 the allocation.

34 **Sec. C-66. Effective date.** That section of this Part that amends the Maine
35 Revised Statutes, Title 20-A, section 15681-A, subsection 2 takes effect July 1, 2018.

36 **PART D**

37 **Sec. D-1. 20-A MRSA §15697**, as enacted by IB 2015, c. 4, §1, is repealed.

38 **Sec. D-2. 36 MRSA §5111, sub-§6**, as enacted by IB 2015, c. 4, §2, is repealed.

39 **Sec. D-3. Application.** Those sections of this Part that repeal the Maine Revised
40 Statutes, Title 20-A, section 15697 and Title 36, section 5111, subsection 6 apply to tax
41 years beginning on or after January 1, 2017.

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PART E

Sec. E-1. 5 MRSA §13090-K, sub-§2, as amended by PL 2015, c. 267, Pt. OOOO, §1 and affected by §7, is repealed and the following enacted in its place:

2. Source of fund. Transfers to the Tourism Marketing Promotion Fund must be made according to this subsection.

A. By October 1st annually, beginning in 2013 and ending in 2017, the State Controller shall transfer to the Tourism Marketing Promotion Fund an amount, as certified by the State Tax Assessor, that is equivalent to 5% of the 8% tax imposed on tangible personal property and taxable services pursuant to Title 36, section 1811 for the last 6 months of the prior fiscal year after the reduction for the transfer to the Local Government Fund as described by Title 30-A, section 5681, subsection 5.

B. By July 1st annually, beginning in 2014 and ending in 2017, the State Controller shall transfer to the Tourism Marketing Promotion Fund an amount, as certified by the State Tax Assessor, that is equivalent to 5% of the 8% tax imposed on tangible personal property and taxable services pursuant to Title 36, section 1811 for the first 6 months of the prior fiscal year after the reduction for the transfer to the Local Government Fund as described by Title 30-A, section 5681, subsection 5.

C. On July 1, 2018, the State Controller shall transfer to the Tourism Marketing Promotion Fund an amount, as certified by the State Tax Assessor, that is equivalent to 5% of the 8% tax imposed on tangible personal property and taxable services for the first 6 months of the prior fiscal year plus 5% of the 9% tax imposed on the rental of living quarters from July 1, 2017 to September 30, 2017 and 5% of the 10.5% tax imposed on the rental of living quarters from October 1, 2017 to December 31, 2017 pursuant to Title 36, section 1811 after the reduction for the transfer to the Local Government Fund as described by Title 30-A, section 5681, subsection 5.

D. By October 1st annually, beginning in 2018, the State Controller shall transfer to the Tourism Marketing Promotion Fund an amount, as certified by the State Tax Assessor, that is equivalent to 5% of the 8% tax imposed on tangible personal property and taxable services and 5% of the 10.5% tax imposed on the rental of living quarters pursuant to Title 36, section 1811 for the last 6 months of the prior fiscal year after the reduction for the transfer to the Local Government Fund as described by Title 30-A, section 5681, subsection 5.

E. By July 1st annually, beginning in 2019, the State Controller shall transfer to the Tourism Marketing Promotion Fund an amount, as certified by the State Tax Assessor, that is equivalent to 5% of the 8% tax imposed on tangible personal property and taxable services and 5% of the 10.5% tax imposed on the rental of living quarters pursuant to Title 36, section 1811 for the first 6 months of the prior fiscal year after the reduction for the transfer to the Local Government Fund as described by Title 30-A, section 5681, subsection 5.

The tax amounts specified in this subsection must be based on actual sales for that fiscal year and may not consider any accruals that may be required by law. The amount

CONFERENCE AMENDMENT

1 transferred from General Fund sales and use tax revenues does not affect the calculation
2 for the transfer to the Local Government Fund.

3 **Sec. E-2. 36 MRSA §1811, first ¶**, as amended by PL 2015, c. 267, Pt. OOOO,
4 §5 and affected by §7, is further amended to read:

5 A tax is imposed on the value of all tangible personal property, products transferred
6 electronically and taxable services sold at retail in this State. The rate of tax is 7% on the
7 value of liquor sold in licensed establishments as defined in Title 28-A, section 2,
8 subsection 15, in accordance with Title 28-A, chapter 43; 7% on the value of rental of
9 living quarters in any hotel, rooming house or tourist or trailer camp; 10% on the value of
10 rental for a period of less than one year of an automobile, of a pickup truck or van with a
11 gross vehicle weight of less than 26,000 pounds rented from a person primarily engaged
12 in the business of renting automobiles or of a loaner vehicle that is provided other than to
13 a motor vehicle dealer's service customers pursuant to a manufacturer's or dealer's
14 warranty; 7% on the value of prepared food; and 5% on the value of all other tangible
15 personal property and taxable services and products transferred electronically.
16 Notwithstanding the other provisions of this section, from October 1, 2013 to December
17 31, 2015, the rate of tax is 8% on the value of rental of living quarters in any hotel,
18 rooming house or tourist or trailer camp; 8% on the value of prepared food; 8% on the
19 value of liquor sold in licensed establishments as defined in Title 28-A, section 2,
20 subsection 15, in accordance with Title 28-A, chapter 43; and 5.5% on the value of all
21 other tangible personal property and taxable services and products transferred
22 electronically. Notwithstanding the other provisions of this section, ~~beginning from~~
23 January 1, 2016 to September 30, 2017, the rate of tax is 9% on the value of rental of
24 living quarters in any hotel, rooming house or tourist or trailer camp; 8% on the value of
25 prepared food; 8% on the value of liquor sold in licensed establishments as defined in
26 Title 28-A, section 2, subsection 15, in accordance with Title 28-A, chapter 43; and 5.5%
27 on the value of all other tangible personal property and taxable services and products
28 transferred electronically. Notwithstanding the other provisions of this section, beginning
29 October 1, 2017, the rate of tax is 10.5% on the value of rental of living quarters in any
30 hotel, rooming house or tourist or trailer camp; 8% on the value of prepared food; 8% on
31 the value of liquor sold in licensed establishments as defined in Title 28-A, section 2,
32 subsection 15, in accordance with Title 28-A, chapter 43; and 5.5% on the value of all
33 other tangible personal property and taxable services and products transferred
34 electronically. Value is measured by the sale price, except as otherwise provided. The
35 value of rental for a period of less than one year of an automobile or of a pickup truck or
36 van with a gross vehicle weight of less than 26,000 pounds rented from a person
37 primarily engaged in the business of renting automobiles is the total rental charged to the
38 lessee and includes, but is not limited to, maintenance and service contracts, drop-off or
39 pick-up fees, airport surcharges, mileage fees and any separately itemized charges on the
40 rental agreement to recover the owner's estimated costs of the charges imposed by
41 government authority for title fees, inspection fees, local excise tax and agent fees on all
42 vehicles in its rental fleet registered in the State. All fees must be disclosed when an
43 estimated quote is provided to the lessee.

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PART F

This Part left blank intentionally.

PART G

Sec. G-1. 36 MRSA §683, sub-§§3 and 4, as amended by PL 2015, c. 390, §2, are further amended to read:

3. Effect on state valuation. For property tax years beginning before ~~April 1, 2017~~ April 1, 2018, 50% of the just value of all the homestead exemptions under this subchapter must be included in the annual determination of state valuation under sections 208 and 305. For property tax years beginning on or after ~~April 1, 2017~~ April 1, 2018, 62.5% of the just value of all the homestead exemptions under this subchapter must be included in the annual determination of state valuation under sections 208 and 305.

4. Property tax rate. For property tax years beginning before ~~April 1, 2017~~ April 1, 2018, 50% of the just value of all the homestead exemptions under this subchapter must be included in the total municipal valuation used to determine the municipal tax rate. For property tax years beginning on or after ~~April 1, 2017~~ April 1, 2018, 62.5% of the just value of all the homestead exemptions under this subchapter must be included in the total municipal valuation used to determine the municipal tax rate. The municipal tax rate as finally determined may be applied to only the taxable portion of each homestead qualified for that tax year.

Sec. G-2. 36 MRSA §685, sub-§2, as amended by PL 2015, c. 390, §§3 and 4, is further amended to read:

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

- A. For property tax years beginning before ~~April 1, 2017~~ April 1, 2018, 50% of the taxes lost by reason of the exemptions under section 683, subsections 1 and 1-B; and
- B. For property tax years beginning on or after ~~April 1, 2017~~ April 1, 2018, 62.5% of the taxes lost by reason of the exemptions under section 683, subsections 1 and 1-B.

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

Sec. G-3. Retroactive application. This Part applies retroactively to property tax valuations determined on or after April 1, 2017.

PART H

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PART I

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PART N

Sec. N-1. 5 MRSA §1710, as enacted by PL 1995, c. 368, Pt. J, §1, is amended to read:

§1710. Consensus Economic Forecasting Commission; membership

The Consensus Economic Forecasting Commission established by Title 5, section 12004-I, subsection 29-B, to provide the Governor, the Legislature and the Revenue Forecasting Committee with analyses, findings and recommendations representing state economic assumptions relevant to revenue forecasting, and referred to in this chapter as the "commission," consists of 5 members appointed as follows: two members appointed by the Governor; one member recommended for appointment to the Governor by the President of the Senate; one member recommended for appointment to the Governor by the Speaker of the House of Representatives; and one member appointed by the other members of the commission. One of the 5 members must be selected by a majority vote of the committee members to serve as the chair of the commission. ~~Commission members must be appointed within 15 days of the effective date of this section and serve until January 1997. The commission members recommended for appointment to the Governor by the President of the Senate and the Speaker of the House and one of the members appointed by the Governor must be appointed in January 2019 and serve a 2-year term. The 2nd member appointed by the Governor and the member appointed by the other members of the commission must be appointed in January 2019 and serve a one-year term.~~ Thereafter, ~~the~~ all commission members are appointed ~~in January of odd-numbered years to 2-year terms.~~ A member may not be a Legislator or an employee of the Executive Department, the Legislature or the Judicial Department. Each

1 commission member must have professional credentials and demonstrated expertise in
2 economic forecasting.

3 ~~All members are appointed for terms to coincide with the legislative biennium.~~
4 Vacancies must be filled in the same manner as the original appointments for the balance
5 of the unexpired term, except as otherwise provided in this section.

6 ~~If one or more positions on the commission remains unfilled on the 16th day after the~~
7 ~~effective date of this section or the expeditious filling of a vacancy is required to enable~~
8 the commission to perform its duties in an efficient and timely manner, the Governor
9 shall make those appointments at such times and in such a manner as the Governor
10 determines necessary.

11 **Sec. N-2. 5 MRSA §1710-A**, as amended by PL 2007, c. 539, Pt. Q, §1, is further
12 amended to read:

13 **§1710-A. Duties of commission**

14 **1. Duties.** The Consensus Economic Forecasting Commission shall develop ~~5-year~~
15 ~~and 10-year~~ macroeconomic secular trend forecasts ~~and one-year, 2-year and 4-year~~
16 ~~economic forecasts~~ for the current fiscal biennium and the next 2 fiscal biennia.

17 **2. Economic assumptions.** ~~The commission shall submit recommendations for state~~
18 ~~economic assumptions for the next fiscal biennium and analyze economic assumptions~~
19 ~~for the current fiscal biennium, which must be approved by a majority of the commission~~
20 ~~members.~~ No later than November 1st of each even-numbered year and April 1st of each
21 odd-numbered year, the commission shall submit to the Governor, the Legislative
22 Council, the Revenue Forecasting Committee and the joint standing committee of the
23 Legislature having jurisdiction over appropriations and financial affairs a report that
24 presents ~~the~~ analyses, findings and recommendations for state economic assumptions
25 for the next 2 fiscal biennia and analyze economic assumptions related to revenue forecasting
26 for the next ~~for the current~~ fiscal biennium, which must be approved by a majority of the
27 commission members. In its report, the commission shall fully describe the methodology
28 employed in reaching its recommendations.

29 **3. Current biennium adjustments.** No later than ~~April 1st and~~ November 1st of
30 each odd-numbered year and no later than February 1st ~~and November 1st~~ of each
31 even-numbered year the commission shall submit to the Governor, the Legislative
32 Council, the Revenue Forecasting Committee and the joint standing committee of the
33 Legislature having jurisdiction over appropriations and financial affairs a report that
34 presents the commission's findings and recommendations for adjustments to the
35 economic assumptions ~~for the current fiscal biennium~~ all forecast years. In each report
36 the commission shall fully describe the methodology employed in reaching its
37 recommendations.

38 **4. Alternative economic scenarios.** No later than February 1st of each
39 even-numbered year the commission shall provide to the State Budget Officer, the State
40 Economist and the Associate Commissioner for Tax Policy at least 2 additional economic
41 forecasts that assume potential economic recession scenarios of varying levels of severity.
42 These additional forecasts must include economic assumptions for the current fiscal

1 biennium and the next 2 fiscal biennia. In each report the commission shall fully describe
2 the methodology employed in reaching its recommendations.

3 **Sec. N-3. 5 MRSA §1710-C**, as enacted by PL 1995, c. 368, Pt. J, §1, is amended
4 to read:

5 **§1710-C. Meetings**

6 The commission shall meet at least ~~4~~ 3 times a year. Additional meetings may be
7 called by the chair or by any 3 members. All meetings are open to the public.

8 **Sec. N-4. 5 MRSA §1710-G**, as amended by PL 1997, c. 655, §5, is further
9 amended by adding at the end a new paragraph to read:

10 No later than October 1st of each even-numbered year the commission and
11 committee shall jointly issue a report to the Governor, the Legislative Council and the
12 joint standing committee of the Legislature having jurisdiction over appropriations and
13 financial affairs that uses the alternative economic scenarios recommended by the
14 commission in accordance with section 1710-A, subsection 4. The report must include
15 analyses and findings that detail the stress impact such potential economic recession
16 scenarios would have on the current General Fund revenue projections of sales and
17 income tax revenues. The report must include an analysis of the sufficiency of the
18 current level of the Maine Budget Stabilization Fund and an estimate of the reserves in
19 the Maine Budget Stabilization Fund necessary to offset the declines in revenue as a
20 result of potential economic recessions of varying levels of severity.

21 **Sec. N-5. 5 MRSA §1710-H**, as amended by PL 1997, c. 655, §6, is further
22 amended to read:

23 **§1710-H. Meetings**

24 The committee shall meet at least ~~4~~ 3 times a year. Additional meetings may be
25 called by a majority vote of the committee or by the State Budget Officer as specified in
26 section 1710-G.

27 **PART O**

28 **Sec. O-1. 5 MRSA §1725-A**, as amended by PL 1991, c. 780, Pt. Y, §51, is
29 further amended to read:

30 **§1725-A. Risk management**

31 **1. Creation and authority.** The Department of Administrative and Financial
32 Services is designated as the agency through which this chapter is administered. The
33 ~~Director of the Bureau of General Services, in this chapter called the "director,"~~ State
34 Controller is empowered with such authority as necessary to carry out the purposes of this
35 chapter.

36 Risk management responsibilities are under the supervision and administrative control of
37 the ~~Director of the Bureau of General Services~~ State Controller.

1 **2. State Controller.** The commissioner shall ~~appoint direct~~ the ~~Director of the~~
2 ~~Bureau of General Services, in this chapter called the "director,"~~ State Controller
3 administer the State's policy on insurance management, as developed through the
4 authority of this chapter. The ~~director~~ State Controller or the ~~director's~~ State Controller's
5 designee must be knowledgeable of insurance practices and principles and must be
6 qualified by actual experience in the field of risk management to carry out the purposes of
7 this chapter.

8 **3. Personnel.** The ~~director~~ State Controller may employ such assistants and
9 employees as are necessary, and distribute the risk management duties among such
10 persons as the ~~director~~ State Controller considers necessary for economy and efficiency
11 of administration. Employees are subject to the Civil Service Law.

12 **Sec. O-2. 5 MRSA §1727-A**, as enacted by PL 1983, c. 349, §7, is amended to
13 read:

14 **§1727-A. Conflict of interest prohibited**

15 The ~~director~~ State Controller or any ~~other~~ employee of the division ~~shall~~ may not be
16 financially interested, directly or indirectly, in any insurer, agency or insurance
17 transaction, except as a policyholder or claimant under a policy, nor ~~shall~~ may the
18 ~~director~~ State Controller or any ~~other~~ employee be licensed under Title 24-A, as an agent,
19 broker, consultant or adjuster.

20 **Sec. O-3. 5 MRSA §1728-A**, as amended by PL 1993, c. 470, §1, is further
21 amended to read:

22 **§1728-A. Powers and duties of the State Controller**

23 **1. Duties.** The ~~director~~ State Controller shall provide insurance advice and services
24 for all forms of insurance for State Government and any department or agency of State
25 Government except for those departments or agencies and those types of insurance
26 otherwise provided for by law through the self-insurance fund and to other entities
27 designated as entitled to advice and services through the state-administered fund pursuant
28 to section 1737. The ~~director~~ State Controller is responsible for the acquisition and
29 administration of all insurance purchased by the State, including the authority to purchase
30 insurance for the State for automobile, fire, liability and any other type of coverage
31 necessary to protect the State from financial loss. The ~~director~~ State Controller may enter
32 into contracts for various types of claims management services in order to ensure the
33 most economically advantageous insurance protection in the operation of the State's
34 insurance coverage program. In these regards, the ~~director~~ State Controller has the
35 following duties:

36 A. To review annually the entire subject of insurance as it applies to all state
37 property and activities and other persons pursuant to this section, and to provide to
38 the Commissioner of Administrative and Financial Services a statement of its
39 activities during the year ending the preceding June 30th. This report must include:

40 (1) An evaluation of the state insurance program;

41 (2) A complete statement of all types and costs of insurance in effect;

- 1 (3) Names of agents and companies of record; and
- 2 (4) Such other matters as the ~~director~~ State Controller determines appropriate
3 and necessary or as the commissioner may request;
- 4 B. To recommend to the Commissioner of Administrative and Financial Services
5 such insurance protection as the ~~director~~ State Controller considers necessary or
6 desirable for the protection of all state property or activities or other insureds under
7 this section;
- 8 C. Pursuant to programs approved by the Commissioner of Administrative and
9 Financial Services, to provide insurance protection for property and liability in
10 accordance with the Maine Tort Claims Act, Title 14, section 8116, and premises
11 liability, when required by a state lease or private property approved by the Attorney
12 General, by self-insured retention or purchase of insurance from companies or agents
13 licensed to do business in this State, or by both, to effect the best possible contracts as
14 to services, coverages and costs. The purchase of insurance under this section
15 normally must be made upon competitive bidding, except that the ~~director~~ State
16 Controller may, in appropriate circumstances, purchase insurance by negotiation;
- 17 D. To determine and review the values of property in which the State has an
18 insurable or legal interest and recommend limits and types of insurance protection for
19 that property;
- 20 E. To establish and promote safety and other loss prevention programs;
- 21 F. To receive and, with the assistance of the Attorney General, administer all claims
22 for personal injury and property damage against the State;
- 23 G. With the assistance of the Attorney General, to pursue all claims against 3rd
24 parties in all cases in which the State may be subrogated to the rights of injured
25 employees or where damage to state property may have resulted from the negligence
26 of a 3rd party;
- 27 H. To administer the funds established by sections 1731 and 1737. In performing the
28 functions authorized by this chapter, the funds, the Commissioner of Administrative
29 and Financial Services and the ~~director~~ State Controller are not subject to the
30 provisions of Title 24-A; and
- 31 I. On or before December 31, 1996 and every 3 years thereafter, to submit to the
32 Commissioner of Administrative and Financial Services a report on the availability
33 and affordability of insurance advice and services to those entities participating in the
34 state-administered fund pursuant to section 1737 and to make specific
35 recommendations for the removal from the state-administered fund of those entities
36 that do not qualify.
- 37 **2. Appraisal.** In case an agreement as to the amount of loss sustained to any
38 building or property insured under this chapter can not be arrived at between the insured
39 entity and the ~~director~~ State Controller, the loss must be referred to appraisal as provided
40 by Title 24-A, section 3002.

1 **3. Rejection of risk.** In the event that the ~~director~~ State Controller determines that a
2 risk may be prejudicial to the State's insurance program or to the state-administered fund
3 established by section 1737 because of an actual or expected adverse loss ratio, the
4 ~~director~~ State Controller may refuse to include that risk in the program until the time that
5 the hazards of the risk have been removed or ameliorated to a satisfactory degree.

6 When coverage is declined by the ~~director~~ State Controller, the department, agency or
7 entity in charge of the risk may request that the ~~director~~ State Controller procure separate
8 insurance from any authorized insurance company, and the premium for that separate
9 insurance is a proper charge against the department, agency or entity responsible for the
10 property.

11 **4. Forms and rules.** The ~~director~~ State Controller may prescribe forms of policies,
12 proofs of loss and other forms and may adopt rules as are necessary or expedient for the
13 proper administration of this chapter.

14 **5. Actuarial review.** Once every 3 years, and more frequently if determined prudent
15 by the Commissioner of Administrative and Financial Services, the ~~director~~ State
16 Controller shall arrange for a review of the reserves of the state-administered fund by a
17 qualified actuary who is a member in good standing of the Casualty Actuarial Society.
18 The actuary shall issue an opinion on the adequacy of reserves of the state-administered
19 fund to cover the estimated ultimate liability of the state-administered fund. Costs for
20 this service must be paid from the Risk Management Fund.

21 **Sec. O-4. 5 MRSA §1731, first ¶**, as amended by PL 1993, c. 470, §2, is further
22 amended to read:

23 A reserve fund, referred to in this chapter as the "self-insurance fund," is created to
24 indemnify the State or the State's designated payee for self-insured retention losses and
25 related loss adjustment expenses from those perils insured against under a deductible or
26 self-insured retention program, as recommended by the ~~director~~ State Controller and
27 approved by the Commissioner of Administrative and Financial Services. With the
28 approval of the commissioner, the self-insurance fund may be used for loss prevention
29 programs administered by either the risk management division within the ~~Bureau of~~
30 ~~General Services~~ Office of the State Controller or the Bureau of Human Resources. The
31 total amount of the self-insurance fund provided for loss prevention programs in any
32 given year may not exceed 5% of the self-insurance fund as of July 1st of that fiscal year.
33 The self-insurance fund is a continuing fund and does not lapse. Funds provided from the
34 self-insurance fund to the Bureau of Human Resources are similarly nonlapsing and are
35 carried forward through the Bureau of Human Resources' Dedicated Revenue Account.

36 **Sec. O-5. 5 MRSA §1731-A, last ¶**, as amended by PL 1983, c. 349, §13, is
37 further amended to read:

38 The ~~director~~ State Controller may purchase such reinsurance of the deductible or self-
39 insured retentions hereunder as ~~he~~ the State Controller may ~~deem~~ consider necessary or
40 desirable. The ~~director~~ State Controller may purchase such reinsurance protection from
41 companies or agents licensed or approved by the Superintendent of Insurance to do
42 business in the State.

1 **Sec. O-6. 5 MRSA §1733, last ¶**, as amended by PL 1993, c. 470, §5, is further
2 amended to read:

3 Payments to the self-insurance fund from its participants must be calculated on a pro
4 rata basis as determined by the ~~director~~ State Controller and based on the prior claims
5 experience of the departments or agencies.

6 **Sec. O-7. 5 MRSA §1734, first ¶**, as amended by PL 1993, c. 470, §6, is further
7 amended to read:

8 The self-insurance fund may not exceed 2% of the then current value of all state-
9 insured or self-insured retention property protected by the self-insurance fund as
10 determined by the ~~director~~ State Controller.

11 **Sec. O-8. 5 MRSA §1736**, as amended by PL 1993, c. 470, §8, is further amended
12 to read:

13 **§1736. Payment of losses**

14 Pursuant to the recommendation of the ~~director~~ State Controller, the Commissioner of
15 Administrative and Financial Services may cause payments from the self-insurance fund
16 or proceeds of insurance purchased in accordance with this chapter, or both, to be made
17 available for repair or replacement of insured property and payment of losses and loss
18 adjustment expenses.

19 **Sec. O-9. 5 MRSA §1737, sub-§§1 to 3**, as enacted by PL 1993, c. 470, §9, are
20 amended to read:

21 **1. Creation of state-administered fund.** A reserve fund, referred to in this chapter
22 as the "state-administered fund," is created to indemnify persons and entities eligible for
23 participation pursuant to subsection 2 for losses and related loss adjustment expenses
24 from those perils insured against under a deductible or self-insured retention program as
25 recommended by the ~~director~~ State Controller and approved by the Commissioner of
26 Administrative and Financial Services. With the approval of the commissioner, the state-
27 administered fund may be used for loss prevention programs administered by the risk
28 management division within the ~~Bureau of General Services~~ Office of the State
29 Controller. The total amount of the state-administered fund provided for loss prevention
30 programs in any given year may not exceed 5% of the state-administered fund as of July
31 1st of that fiscal year. The state-administered fund is a continuing fund and does not
32 lapse.

33 **2. Eligibility for participation in state-administered fund.** The ~~director~~ State
34 Controller may offer insurance advice and services to persons or entities other than state
35 departments or agencies if:

- 36 A. The ~~director~~ State Controller has been authorized to do so by law;
37 B. The Governor has approved that person or entity for insurance advice and service;
38 C. Coverage is unavailable or is offered only at unreasonable cost to that person or
39 entity; and

1 D. That person or entity has demonstrated a strong public need for the services
2 provided by that person or entity.

3 **3. Interim coverage.** The ~~director~~ State Controller may offer insurance advice and
4 services for no more than 6 months when the Governor, in the absence of the Legislature,
5 determines that it is appropriate to do so based on consideration of the risks involved and
6 the governmental objectives served by that coverage.

7 **Sec. O-10. 5 MRSA §1737, sub-§4,** as amended by PL 2017, c. 110, §2, is
8 further amended to read:

9 **4. Directed services.** Notwithstanding the provisions of subsection 2, the ~~director~~
10 State Controller may provide insurance advice or services for family foster homes as
11 defined in Title 22, section 8101, subsection 3; specialized children's homes, as defined in
12 Title 22, section 8101, subsection 5; respite care providers as ~~defined~~ described in Title
13 34-B, section 6201, subsection 2-A; the Casco Bay Island Transit District created by
14 Private and Special Law 1981, chapter 22; the University of Maine System; the Maine
15 Community College System; the Maine Maritime Academy; and the State's local
16 workforce investment areas designated under the federal Workforce Innovation and
17 Opportunity Act, Public Law 113-128. The ~~director~~ State Controller may provide
18 insurance services for public schools as defined in Title 20-A, section 1, subsection 24 if
19 the provisions of subsection 2 are met. Notwithstanding subsection 2, the ~~director~~ State
20 Controller may provide insurance advice for public schools.

21 **Sec. O-11. 5 MRSA §1737, sub-§8,** as enacted by PL 1993, c. 470, §9, is
22 amended to read:

23 **8. Payments from state-administered fund.** Pursuant to the recommendation of
24 the ~~director~~ State Controller, the Commissioner of Administrative and Financial Services
25 may cause payments from the state-administered fund or proceeds of insurance purchased
26 in accordance with this section, or both, to be made available for repair or replacement of
27 insured property and payment of losses and loss adjustment expenses. The rights of a
28 person or entity insured under this section are limited to the extent specified in the
29 contractual agreements or policies of insurance entered into between those persons or
30 entities and the ~~director~~ State Controller and any involved insurance companies.
31 Notwithstanding any contractual agreements or policies of insurance, persons or entities
32 participating in the state-administered fund do not have a right of recovery except against
33 the assets of the state-administered fund and do not have recourse against the General
34 Fund, the assets of the State or the commissioner, the ~~director~~ State Controller or any
35 other state employee. The commissioner shall establish procedures to ensure adequate
36 disclosure of this limitation on rights of recovery to the entities insured under this section.

37 **PART P**

38 **Sec. P-1. 5 MRSA §1742, sub-§26, ¶E,** as corrected by RR 2011, c. 2, §2, is
39 amended to read:

40 E. Part of the rental income collected by the Department of Administrative and
41 Financial Services, Bureau of General Services pursuant to this subsection be
42 transferred to the Department of Defense, Veterans and Emergency Management,

1 Disaster Assistance Relief, Other Special Revenue Funds account for disaster
2 assistance; ~~and~~

3 **Sec. P-2. 5 MRSA §1742, sub-§28**, as enacted by PL 2011, c. 655, Pt. GG, §1
4 and affected by §70, is amended to read:

5 **28. State landfills.** To own, design, develop or operate, or contract with private
6 parties to operate, solid waste disposal facilities, as provided in Title 38, chapter 24,
7 subchapter 4-; and

8 **Sec. P-3. 5 MRSA §1742, sub-§29** is enacted to read:

9 **29. Accept contributions.** To accept contributions from public and private sources
10 for the maintenance, repair and construction of state facilities. Contributed funds must be
11 invested as provided by law with the earnings credited to the appropriate fund to be used
12 for the same purposes.

13 **PART Q**

14 **Sec. Q-1. Maine Revised Statutes amended; revision clause.** Wherever in
15 the Maine Revised Statutes the words "displaced homemaker program" appear or
16 reference is made to that entity or those words, those words are amended to read or mean,
17 as appropriate, "New Ventures Maine program" and the Revisor of Statutes shall
18 implement this revision when updating, publishing or republishing the statutes.

19 **Sec. Q-2. Maine Revised Statutes amended; revision clause.** Wherever in
20 the Maine Revised Statutes the words "Displaced Homemakers Advisory Council" appear
21 or reference is made to that entity or those words, those words are amended to read or
22 mean, as appropriate, "New Ventures Maine Advisory Council" and the Revisor of
23 Statutes shall implement this revision when updating, publishing or republishing the
24 statutes.

25 **Sec. Q-3. Rename Maine Centers for Women, Work and Community**
26 **program.** Notwithstanding any other provision of law, the Maine Centers for Women,
27 Work and Community program within the University of Maine System is renamed the
28 New Ventures Maine program.

29 **PART R**

30 This Part left blank intentionally.

31 **PART S**

32 **Sec. S-1. Tax expenditures.** In accordance with the Maine Revised Statutes,
33 Title 5, section 1666 and to the extent not otherwise provided in this Act, funding is
34 continued for each individual tax expenditure, as defined in Title 5, section 1666,
35 reported in the budget document submitted to the Legislature by the Governor on January
36 6, 2017.

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PART T

Sec. T-1. 36 MRSA §112, sub-§2-A is enacted to read:

2-A. Training program. The assessor may implement a training program to enhance the technical and service delivery expertise of the bureau's revenue agents and property appraisers. Employees in these classifications who participate in the training program and who demonstrate that they have achieved competencies prescribed by the assessor may progress immediately to the senior position in these classification series.

PART U

This Part left blank intentionally.

PART V

Sec. V-1. 30-A MRSA §701, sub-§2-C, as enacted by PL 2015, c. 335, §11, is amended to read:

2-C. Tax assessment for correctional services July 1, 2015 to June 30, 2018. Beginning July 1, 2015, the counties shall annually collect no less than \$62,172,371 from municipalities for the provision of correctional services in accordance with this subsection. The counties may collect an amount that is more than the base assessment limit established in this subsection, except that the additional amount each year may not exceed the base assessment limit as adjusted by the growth limitation factor established in section 706-A, subsection 3 or ~~3%~~ 4%, whichever is less. For the purposes of this subsection, "correctional services" includes management services, personal services, contractual services, commodity purchases, capital expenditures and all other costs, or portions thereof, necessary to maintain and operate correctional services. "Correctional services" does not include county jail debt unless there is a surplus in the account that pays for correctional services at the end of the state fiscal year.

The assessment to municipalities within each county may not be greater or less than the base assessment limit, which is:

- A. A sum of \$4,287,340 in Androscoggin County;
- B. A sum of \$2,316,666 in Aroostook County;
- C. A sum of \$11,575,602 in Cumberland County;
- D. A sum of \$1,621,201 in Franklin County;
- E. A sum of \$1,670,136 in Hancock County;
- F. A sum of \$5,588,343 in Kennebec County;
- G. A sum of \$3,188,700 in Knox County;
- H. A sum of \$2,657,105 in Lincoln County;
- I. A sum of \$1,228,757 in Oxford County;

- 1 J. A sum of \$5,919,118 in Penobscot County;
- 2 K. A sum of \$878,940 in Piscataquis County;
- 3 L. A sum of \$2,657,105 in Sagadahoc County;
- 4 M. A sum of \$5,363,665 in Somerset County;
- 5 N. A sum of \$2,832,353 in Waldo County;
- 6 O. A sum of \$2,000,525 in Washington County; and
- 7 P. A sum of \$8,386,815 in York County.

8 **Sec. V-2. Transfer from General Fund; Reserve for County Jail**
9 **Operations program.** On or immediately after July 1, 2018, the State Controller shall
10 transfer \$12,202,104 from the unappropriated surplus of the General Fund to the
11 Department of Corrections, Reserve for County Jail Operations program, Other Special
12 Revenue Funds. Funds transferred pursuant to this section may not be transferred out of
13 the Reserve for County Jail Operations program without legislative approval.

14 **PART W**

15 This Part left blank intentionally.

16 **PART X**

17 **Sec. X-1. Attrition savings.** Notwithstanding any provision of law to the
18 contrary, the attrition rate for the 2018-2019 biennium is increased from 1.6% to 5% for
19 judicial branch and executive branch departments and agencies only, with the exception
20 of the District Attorneys Salaries program within the Department of the Attorney
21 General. The attrition rate for subsequent biennia is 1.6% with the exception of the
22 District Attorneys Salaries program within the Department of the Attorney General. The
23 attrition rate for the District Attorneys Salaries program is 0% for the 2018-2019
24 biennium.

25 **Sec. X-2. Calculation and transfer; attrition savings.** The State Budget
26 Officer shall calculate the amount of the savings in section 3 of this Part that applies
27 against each General Fund account for all executive branch departments and agencies
28 statewide, with the exception of the District Attorneys Salaries program, and shall
29 transfer the amounts by financial order upon the approval of the Governor. These
30 transfers are considered adjustments to appropriations in fiscal years 2017-18 and 2018-
31 19. The State Budget Officer shall submit to the Joint Standing Committee on
32 Appropriations and Financial Affairs a report of the transferred amounts no later than
33 September 1, 2018.

34 **Sec. X-3. Appropriations and allocations.** The following appropriations and
35 allocations are made.

36 **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**
37 **Executive Branch Departments and Independent Agencies - Statewide 0017**

1 Initiative: Reduces funding to reflect projected savings from an increase in the attrition
2 rate from 1.6% to 5% for fiscal years 2017-18 and 2018-19.

3	GENERAL FUND	2017-18	2018-19
4	Personal Services	(\$12,312,938)	(\$12,526,849)
5			
6	GENERAL FUND TOTAL	<u>(\$12,312,938)</u>	<u>(\$12,526,849)</u>

7 **PART Y**

8 **Sec. Y-1. Department of Administrative and Financial Services; lease-**
9 **purchase authorization.** Pursuant to the Maine Revised Statutes, Title 5, section
10 1587, the Department of Administrative and Financial Services, in cooperation with the
11 Treasurer of State, may enter into financing agreements in fiscal years 2017-18 and
12 2018-19 for the acquisition of motor vehicles for the Central Fleet Management Division.
13 The financing agreements entered into in each fiscal year may not exceed \$5,500,000 in
14 principal costs, and a financing agreement may not exceed 4 years in duration. The
15 interest rate may not exceed 5%. The annual principal and interest costs must be paid
16 from the appropriate line category allocations in the Central Fleet Management Division
17 account.

18 **PART Z**

19 **Sec. Z-1. Department of Administrative and Financial Services; lease-**
20 **purchase authorization.** Pursuant to the Maine Revised Statutes, Title 5, section
21 1587, the Department of Administrative and Financial Services, in cooperation with the
22 Treasurer of State, on behalf of the Department of Public Safety, may enter into financing
23 agreements in fiscal years 2017-18 and 2018-19 for the acquisition of motor vehicles for
24 the State Police. The financing agreements entered into in each fiscal year may not
25 exceed \$2,300,000 in principal costs, and a financing agreement may not exceed 3 years
26 in duration. The interest rate may not exceed 5%. The annual principal and interest costs
27 must be paid from the appropriate line category appropriations and allocations in the
28 State Police accounts.

29 **PART AA**

30 **Sec. AA-1. Department of Administrative and Financial Services; lease-**
31 **purchase authorization.** Pursuant to the Maine Revised Statutes, Title 5, section
32 1587, the Department of Administrative and Financial Services, in cooperation with the
33 Treasurer of State, may enter into financing arrangements on or after July 1, 2017 for
34 improvements to the State's technology infrastructure and data centers; purchase of
35 enterprise software; modernization of databases, storage and other components; and
36 improved security of personally identifiable information and other confidential data. The
37 financial agreements may not exceed \$21,000,000 in principal costs, 7 years in duration

1 and a 6% interest rate. The annual principal and interest costs must be paid from the
2 appropriate line category appropriations in the Department of Administrative and
3 Financial Services, Office of Information Technology accounts.

4 **PART BB**

5 This Part left blank intentionally.

6 **PART CC**

7 **Sec. CC-1. Voluntary employee incentive programs.** Notwithstanding the
8 Maine Revised Statutes, Title 5, section 903, subsections 1 and 2, the Commissioner of
9 Administrative and Financial Services shall offer for use prior to July 1, 2019 special
10 voluntary employee incentive programs for state employees, including a 50% workweek,
11 flexible position staffing and time off without pay. Employee participation in a voluntary
12 employee incentive program is subject to the approval of the employee's appointing
13 authority.

14 **Sec. CC-2. Continuation of group health insurance.** Notwithstanding the
15 Maine Revised Statutes, Title 5, section 285, subsection 7 and Title 5, section 903, the
16 State shall continue to pay health and dental insurance benefits for a state employee who
17 applies prior to July 1, 2019 and is approved to participate in a voluntary employee
18 incentive program under section 1 of this Part based upon the scheduled workweek in
19 effect prior to the employee's participation in the voluntary employee incentive program.

20 **Sec. CC-3. Continuation of group life insurance.** Notwithstanding the Maine
21 Revised Statutes, Title 5, sections 903 and 18056 and the rules of the Maine Public
22 Employees Retirement System, the life, accidental death and dismemberment,
23 supplemental and dependent insurance amounts for a state employee who applies prior to
24 July 1, 2019 and is approved to participate in a voluntary employee incentive program
25 under section 1 of this Part are based upon the scheduled hours of the employee prior to
26 the employee's participation in the voluntary employee incentive program.

27 **Sec. CC-4. General Fund savings.** Notwithstanding the Maine Revised
28 Statutes, Title 5, section 1585, the State Budget Officer shall transfer the General Fund
29 savings resulting from the voluntary employee incentive programs under section 1 of this
30 Part to the General Fund Compensation and Benefit Plan account in the Department of
31 Administrative and Financial Services. The State Budget Officer shall submit to the joint
32 standing committee of the Legislature having jurisdiction over appropriations and
33 financial affairs a report of the transferred amounts no later than January 15, 2019 for
34 fiscal year 2017-18 and no later than January 15, 2020 for fiscal year 2018-19.

35 **Sec. CC-5. Lapsed balances.** Notwithstanding any other provision of law,
36 \$350,000 in fiscal year 2017-18 and \$350,000 in fiscal year 2018-19 of savings identified
37 from the voluntary employee incentive programs in this Part lapse to the General Fund.

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PART DD

Sec. DD-1. Department of Administrative and Financial Services; review after reorganization. The Commissioner of Administrative and Financial Services is authorized to identify positions to be eliminated on or before June 30, 2019 as a result of reorganizations due to the implementation of a new human resources and payroll system and shall submit a report related to the elimination of any positions to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs by June 30, 2019.

Sec. DD-2. Calculation. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings from the position eliminations under this Part and make adjustments by financial order upon approval of the Governor no later than June 30, 2019. These eliminations are considered adjustments to authorized position count, appropriations and allocations.

PART EE

Sec. EE-1. Position review and position savings. The Department of Administrative and Financial Services, Bureau of the Budget shall conduct a review of vacant positions for elimination in executive branch departments and agencies regardless of fund source for the purpose of identifying total General Fund savings in the Personal Services line category equal to \$1,500,000 in fiscal year 2018-19. The Commissioner of Administrative and Financial Services shall submit a report to the Joint Standing Committee on Appropriations and Financial Affairs by July 1, 2018 with identified positions for elimination.

Sec. EE-2. Calculation. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings from the position eliminations under section 1 of this Part and adjust by financial order upon approval of the Governor, no later than June 30, 2019. These eliminations are considered adjustments to authorized position count, appropriations and allocations.

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

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF
Executive Branch Departments and Independent Agencies - Statewide 0017**

Initiative: Reduces funding from the elimination of positions as a result of the review of vacant positions as authorized in section 1 of this Part. This initiative represents the General Fund share of savings from the position eliminations.

GENERAL FUND	2017-18	2018-19
Personal Services	\$0	(\$1,500,000)
GENERAL FUND TOTAL	\$0	(\$1,500,000)

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PART FF

Sec. FF-1. 4 MRSA §1610-J is enacted to read:

§1610-J. Additional securities for capital repairs and improvements and hazardous waste cleanup

Notwithstanding any limitation on the amount of securities that may be issued pursuant to section 1606, subsection 2, the authority may issue additional securities in an amount not to exceed \$30,000,000 outstanding at any one time for capital repairs and improvements to state-owned facilities and hazardous waste cleanup on state-owned properties.

Sec. FF-2. Maine Governmental Facilities Authority; issuance of securities. Pursuant to the Maine Revised Statutes, Title 4, section 1606, subsection 2 and section 1610-J, and notwithstanding the limitation contained in Title 4, section 1606, subsection 2 regarding the amount of securities that may be issued, the Maine Governmental Facilities Authority is authorized to issue securities in its own name in an amount up to \$30,000,000. Proceeds must be used for the purpose of paying the costs associated with capital repairs and improvements to and construction of state-owned facilities and with hazardous waste cleanup on state-owned properties as designated by the Commissioner of Administrative and Financial Services.

PART GG

Sec. GG-1. 5 MRSA §282, sub-§8, as amended by PL 2009, c. 372, Pt. F, §2, is further amended to read:

8. Serve as director of Clean Government Initiative. To serve as a director, along with the Commissioner of Environmental Protection, of the Clean Government Initiative established in Title 38, section 343-H; ~~and~~

Sec. GG-2. 5 MRSA §282, sub-§9, as amended by PL 2011, c. 652, §1 and affected by §14, is further amended to read:

9. Energy infrastructure benefits fund. To establish an energy infrastructure benefits fund. Except as otherwise provided by Title 35-A, section 122, subsections 1-C and 6-B or any other law, including the Constitution of Maine, the fund consists of any revenues derived from the use of state-owned land and assets for energy infrastructure development pursuant to Title 35-A, section 122. Each fiscal year, the Treasurer of State shall transfer revenues collected in the fund to the Efficiency Maine Trust for deposit by the Efficiency Maine Trust Board in program funds pursuant to Title 35-A, section 10103, subsection 4 and use by the trust in accordance with Title 35-A, section 10103, subsection 4-A. For the purposes of this subsection, "energy infrastructure" and "state-owned" have the same meanings as in Title 35-A, section 122, subsection 1;

Sec. GG-3. 5 MRSA §282, sub-§§10 and 11 are enacted to read:

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PART JJ

Sec. JJ-1. Agricultural Fair Support Fund. The Agricultural Fair Support Fund established under the Maine Revised Statutes, Title 7, section 91 operates as a unit within the Harness Racing Commission program in the Department of Agriculture, Conservation and Forestry.

Sec. JJ-2. Sire Stakes Fund. The Sire Stakes Fund established under the Maine Revised Statutes, Title 8, section 281 operates as a unit within the Harness Racing Commission program in the Department of Agriculture, Conservation and Forestry.

Sec. JJ-3. Fund to supplement harness racing purses. The fund to supplement harness racing purses established under the Maine Revised Statutes, Title 8, section 298, subsection 1 operates as a unit within the Harness Racing Commission program in the Department of Agriculture, Conservation and Forestry.

Sec. JJ-4. Fund to Encourage Racing at Maine's Commercial Tracks. The Fund to Encourage Racing at Maine's Commercial Tracks established under the Maine Revised Statutes, Title 8, section 299, subsection 1 operates as a unit within the Harness Racing Commission program in the Department of Agriculture, Conservation and Forestry.

Sec. JJ-5. Fund to Stabilize Off-track Betting Facilities. The Fund to Stabilize Off-track Betting Facilities established under the Maine Revised Statutes, Title 8, section 300, subsection 1 operates as a unit within the Harness Racing Commission program in the Department of Agriculture, Conservation and Forestry.

PART KK

Sec. KK-1. Agricultural Complaint Response Fund. The Agricultural Complaint Response Fund established under the Maine Revised Statutes, Title 7, section 159 operates as a unit within the Bureau of Agriculture program in the Department of Agriculture, Conservation and Forestry.

Sec. KK-2. Potato Cull Removal Fund. The Potato Cull Removal Fund established under the Maine Revised Statutes, Title 7, section 1007-A, subsection 5 operates as a unit within the Bureau of Agriculture program in the Department of Agriculture, Conservation and Forestry.

Sec. KK-3. Cattle Health Assurance Program Fund. The Cattle Health Assurance Program Fund established under the Maine Revised Statutes, Title 7, section 1310 operates as a unit within the Bureau of Agriculture program in the Department of Agriculture, Conservation and Forestry.

Sec. KK-4. Animal Industry Fund. The Animal Industry Fund established under the Maine Revised Statutes, Title 7, section 1332 operates as a unit within the Bureau of Agriculture program in the Department of Agriculture, Conservation and Forestry.

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PART MM

Sec. MM-1. Agricultural development fund. The agricultural development fund established under the Maine Revised Statutes, Title 7, section 306-A, subsection 1 operates as a unit within the Bureau of Agriculture program in the Department of Agriculture, Conservation and Forestry.

PART NN

Sec. NN-1. Agricultural Water Management and Irrigation Fund. The Agricultural Water Management and Irrigation Fund established under the Maine Revised Statutes, Title 7, section 351, subsection 1 operates as a unit within the Bureau of Agriculture program in the Department of Agriculture, Conservation and Forestry.

Sec. NN-2. Transfer balances. Notwithstanding any other provision of law, at the close of fiscal year 2016-17, the State Controller shall transfer, after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute, any remaining balance in the Division of Agricultural Resource Development program, Federal Expenditures Fund to the Division of Quality Assurance and Regulation program, Federal Expenditures Fund.

Sec. NN-3. Transfer balances. Notwithstanding any other provision of law, at the close of fiscal year 2016-17, the State Controller shall transfer, after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute, any remaining balance in the Division of Agricultural Resource Development program, Other Special Revenue Funds to the Division of Quality Assurance and Regulation program, Other Special Revenue Funds.

Sec. NN-4. Transfer balances. Notwithstanding any other provision of law, at the close of fiscal year 2016-17, the State Controller shall transfer, after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute, any remaining balance in the Division of Agricultural Resource Development program, Federal Block Grant Fund to the Division of Quality Assurance and Regulation program, Federal Block Grant Fund.

PART OO

Sec. OO-1. Dairy Industry Fund. The Dairy Industry Fund established in the Maine Revised Statutes, Title 7, section 2956-A operates as a unit within the Milk Commission program in the Department of Agriculture, Conservation and Forestry.

PART PP

Sec. PP-1. Animal welfare auxiliary fund. The animal welfare auxiliary fund established under the Maine Revised Statutes, Title 7, section 3906-B, subsection 16 operates as a unit within the Animal Welfare Fund program within the Department of Agriculture, Conservation and Forestry.

1 **PART QQ**

2 **Sec. QQ-1. 12 MRSA §541-A**, as amended by PL 2013, c. 405, Pt. C, §3, is
3 further amended to read:

4 **§541-A. Division of Geology, Natural Areas and Coastal Resources**

5 The Division of Geology, Natural Areas and Coastal Resources is established within
6 the Department of Agriculture, Conservation and Forestry and is administered by the
7 commissioner. The division consists of the Maine Geological Survey, referred to in this
8 chapter as the "survey," and the Natural Areas Program ~~and the Maine Coastal Program~~.
9 The director of the bureau is the director of the survey.

10 **Sec. QQ-2. 12 MRSA §544-D**, as enacted by PL 2011, c. 655, Pt. KK, §5 and
11 affected by §34 and amended by c. 657, Pt. W, §§5 and 6, is repealed.

12 **Sec. QQ-3. 12 MRSA §6052, sub-§4, ¶D**, as amended by PL 2003, c. 60, §3, is
13 further amended to read:

14 D. Establishing a marine research revolving fund for soliciting and receiving funds
15 for conducting marine research. A marine research fund established under this
16 paragraph may be used only for research purposes set forth under paragraphs A and B
17 and may not be used for research specific to any one company; ~~and~~

18 **Sec. QQ-4. 12 MRSA §6052, sub-§5**, as enacted by PL 2003, c. 60, §4, is
19 amended to read:

20 **5. Safety and security services.** Provide safety and security services in the coastal
21 waters of the State. The department shall coordinate with other local, state and federal
22 agencies when the department provides such safety and security services; and

23 **Sec. QQ-5. 12 MRSA §6052, sub-§6** is enacted to read:

24 **6. Implement and manage coastal zone management program.** Manage and
25 coordinate implementation and ongoing development and improvement of a state coastal
26 zone management program in accordance with and in furtherance of the requirements of
27 the federal Coastal Zone Management Act of 1972, 16 United States Code, Sections 1451
28 to 1466 (2012) and the State's coastal management policies established in Title 38,
29 section 1801. The commissioner may:

30 A. Implement aspects of the state coastal zone management program and be the lead
31 state agency for purposes of federal consistency review under the federal Coastal
32 Zone Management Act of 1972, 16 United States Code, Section 1456 (2012);

33 B. Receive and administer funds from public or private sources for implementation
34 of the state coastal zone management program; and

35 C. Act as the coordinating agency among the several officers, authorities, boards,
36 commissions, departments and political subdivisions of the State on matters relative
37 to management of coastal resources and related human uses in the coastal area.

38 **Sec. QQ-6. Transfer balances.** Notwithstanding any other provision of law, at
39 the end of fiscal year 2016-17, the State Controller shall transfer, after the deduction of

1 all allocations, financial commitments and other designated funds and any other transfer
2 authorized by statute, any remaining balance in the Coastal Program, Federal
3 Expenditures Fund in the Department of Agriculture, Conservation and Forestry to the
4 Bureau of Policy and Management program, Federal Expenditures Fund in the
5 Department of Marine Resources.

6 **Sec. QQ-7. Transfer balances.** Notwithstanding any other provision of law, at
7 the end of fiscal year 2016-17, the State Controller shall transfer, after the deduction of
8 all allocations, financial commitments and other designated funds and any other transfer
9 authorized by statute, any remaining balance in the Coastal Program, Other Special
10 Revenue Funds account in the Department of Agriculture, Conservation and Forestry to
11 the Bureau of Policy and Management program, Other Special Revenue Funds account in
12 the Department of Marine Resources.

13 **PART RR**

14 This Part left blank intentionally.

15 **PART SS**

16 **Sec. SS-1. 12 MRSA §8901, sub-§1, ¶A,** as enacted by PL 2015, c. 267, Pt. Z,
17 §1, is amended to read:

18 A. The forest protection unit of the Bureau of Forestry shall employ no fewer than 45
19 and no more than 50 forest rangers classified as Forest Ranger II to serve as wildfire
20 control specialists and forestry law enforcement officers, and no fewer than ~~17~~ 16
21 forest rangers classified as follows: 3 Regional Rangers, 8 District Rangers, one
22 Forest Fire Prevention Specialist, one Ranger Pilot Supervisor and ~~4~~ 3 Ranger
23 Pilots. Each forest ranger must, at a minimum, be a graduate of the Maine Criminal
24 Justice Academy's law enforcement preservice program or equivalent.

25 **PART TT**

26 **Sec. TT-1. 33 MRSA §479-C,** as amended by PL 2011, c. 655, Pt. II, §7 and
27 affected by §11 and amended by c. 657, Pt. W, §5, is further amended to read:

28 **§479-C. Conservation easement registry**

29 A holder of a conservation easement that is organized or doing business in the State
30 shall annually report to the Department of Agriculture, Conservation and Forestry the
31 book and page number at the registry of deeds for each conservation easement that it
32 holds, the municipality and approximate number of acres protected under each easement
33 and such other information as the Department of Agriculture, Conservation and Forestry
34 determines necessary to fulfill the purposes of this subchapter. The filing must be made
35 by a date and on forms established by the Department of Agriculture, Conservation and
36 Forestry to avoid duplicative filings when possible and otherwise reduce administrative
37 burdens. The annual filing must be accompanied by a ~~\$30~~ fee of \$80. The Department
38 of Agriculture, Conservation and Forestry shall maintain a permanent record of the

1 registration and report to the Attorney General any failure of a holder disclosed by the
2 filing or otherwise known to the Department of Agriculture, Conservation and Forestry.
3 The fees established under this section must be held by the Department of Agriculture,
4 Conservation and Forestry in a nonlapsing, special account to defray the costs of
5 maintaining the registry and carrying out its duties under this section.

6 **PART UU**

7 **Sec. UU-1. Transfer balances.** Notwithstanding any other provision of law to
8 the contrary, at the close of fiscal year 2016-17, the Department of Agriculture,
9 Conservation and Forestry shall transfer after the deduction of all allocations, financial
10 commitments, other designated funds or any other transfer authorized by statute, any
11 remaining balance in the Division of Plant Industry program, Federal Expenditures Fund
12 to the Division of Quality Assurance and Regulation program, Federal Expenditures
13 Fund.

14 **Sec. UU-2. Transfer balances.** Notwithstanding any other provision of law to
15 the contrary, at the close of fiscal year 2016-17, the Department of Agriculture,
16 Conservation and Forestry shall transfer after the deduction of all allocations, financial
17 commitments, other designated funds or any other transfer authorized by statute, any
18 remaining balance in the Division of Plant Industry program, Other Special Revenue
19 Funds to the Division of Quality Assurance and Regulation program, Other Special
20 Revenue Funds.

21 **PART VV**

22 **Sec. VV-1. Rename Forest Health and Monitoring program.**
23 Notwithstanding any other provision of law, the Forest Health and Monitoring program
24 within the Department of Agriculture, Conservation and Forestry is renamed the Forest
25 Resource Management program.

26 **PART WW**

27 **Sec. WW-1. Rename Division of Quality Assurance and Regulation**
28 **program.** Notwithstanding any other provision of law, the Division of Quality
29 Assurance and Regulation program within the Department of Agriculture, Conservation
30 and Forestry is renamed the Bureau of Agriculture program.

31 **PART XX**

32 **Sec. XX-1. Rename Coastal Island Registry program.** Notwithstanding any
33 other provision of law, the Coastal Island Registry program within the Department of
34 Agriculture, Conservation and Forestry is renamed the Submerged Lands and Island
35 Registry program.

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PART YY

Sec. YY-1. Department of Agriculture, Conservation and Forestry, Maine Farms for the Future account; lapsed balances; General Fund. Notwithstanding any other provision of law, the State Controller shall lapse \$435,088 of unencumbered balance forward in the All Other line category in the Department of Agriculture, Conservation and Forestry, Maine Farms for the Future Program, General Fund account to the General Fund unappropriated surplus no later than July 31, 2017.

PART ZZ

Sec. ZZ-1. Department of Agriculture, Conservation and Forestry, Division of Forest Protection program; lapsed balances; General Fund. Notwithstanding any other provision of law to the contrary, the State Controller shall lapse \$1,000,000 of unencumbered balance forward in the Personal Services line category in the Division of Forest Protection program, General Fund account in the Department of Agriculture, Conservation and Forestry to the General Fund unappropriated surplus no later than July 31, 2017.

PART AAA

Sec. AAA-1. Transfer from Other Special Revenue Funds account. Notwithstanding any other provision of law, no later than August 30, 2017, the State Controller shall transfer, after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute, \$58,047 from the Department of Agriculture, Conservation and Forestry, Beverage Container Enforcement Fund program, Other Special Revenue Funds account to the General Fund unappropriated surplus.

PART BBB

Sec. BBB-1. Transfer balances from Other Special Revenue Funds accounts in the Department of Agriculture, Conservation and Forestry to General Fund. Notwithstanding any other provision of law, at the end of fiscal year 2017-18, the State Controller shall transfer \$500,000 from available balances in Other Special Revenue Funds accounts in the Department of Agriculture, Conservation and Forestry to the General Fund unappropriated surplus. On or before June 30, 2018, the Commissioner of Agriculture, Conservation and Forestry shall determine from which accounts the funds must be transferred so that the sum equals \$500,000 and notify the State Controller and the Joint Standing Committee on Appropriations and Financial Affairs of the amounts to be transferred from each account. The commissioner shall exclude the Public Reserved Lands Management Fund when determining from which accounts funds will be transferred.

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PART CCC

Sec. CCC-1. 5 MRSA §7-B, as amended by PL 2011, c. 657, Pt. X, §1 and PL 2013, c. 405, Pt. A, §§23 and 24, is further amended to read:

§7-B. Use of state vehicles for commuting

A state-owned or state-leased vehicle may not be used by any employee to commute between home and work, except for those vehicles authorized and assigned to employees of the Baxter State Park Authority and to law enforcement officials within the following organizational units: Bureau of State Police; Maine Drug Enforcement Agency; Office of the State Fire Marshal; the division within the Department of Public Safety designated by the Commissioner of Public Safety to enforce the law relating to the manufacture, importation, storage, transportation and sale of all liquor and to administer those laws relating to licensing and collection of taxes on malt liquor and wine; Bureau of Motor Vehicles; Bureau of Marine Patrol; the forest protection unit within the Bureau of Forestry; Bureau of Warden Service; ~~and~~ Bureau of Parks and Lands; and the Office of Chief Medical Examiner, the investigation division and the Medicaid fraud control unit within the Office of the Attorney General.

PART DDD

Sec. DDD-1. 5 MRSA §196, first ¶, as amended by PL 2005, c. 154, §1, is further amended to read:

The Attorney General may appoint one or more deputy attorneys general, assistant attorneys general and staff attorneys who serve at the pleasure of the Attorney General or until their successors are duly appointed and qualified. They may perform all the duties required of the Attorney General and other duties the Attorney General delegates to them. The Attorney General may appoint research assistants with any powers and duties the Attorney General delegates. Research assistants may perform duties delegated to them by the Attorney General, including activities authorized by Title 4, section 807. Notwithstanding any other provisions of law, the compensations of research assistants, law office manager and deputy attorneys general are fixed by the Attorney General. The compensation of the Deputy Chief Medical Examiner is fixed by the Attorney General in consultation with the Chief Medical Examiner and with the approval of the Governor. The compensations of the staff attorneys, assistant attorneys general and secretary to the Attorney General are fixed by the Attorney General with the approval of the Governor, but such compensations may not in the aggregate exceed the amount appropriated for those positions and may not result in an increased request to future Legislatures.

Sec. DDD-2. 22 MRSA §3022, sub-§2, as amended by PL 2011, c. 1, Pt. JJ, §1, is further amended to read:

2. Appointment and qualifications of the Deputy Chief Medical Examiner. The Chief Medical Examiner may select one or more of the medical examiners to serve as deputy chief medical examiners. The Deputy Chief Medical Examiner serves at the pleasure of the Chief Medical Examiner and, if salaried, is unclassified. The salary of the Deputy Chief Medical Examiner must be set ~~in salary range 59 of the Standard Salary~~

1 ~~Schedule for Medical Personnel as published by the Bureau of Human Resources in~~
2 ~~accordance with Title 5, section 196.~~ In the event of the Deputy Chief Medical
3 Examiner's temporary absence, the Chief Medical Examiner or, if the Chief Medical
4 Examiner is unavailable, the Attorney General may designate one of the deputy chief
5 medical examiners to serve as acting Chief Medical Examiner. The acting Chief Medical
6 Examiner has all of the powers and responsibilities of the Chief Medical Examiner.

7 **PART EEE**

8 **Sec. EEE-1. 22 MRSA §3024, first ¶**, as amended by PL 2013, c. 368, Pt. CC,
9 §1, is further amended to read:

10 The salary of the Chief Medical Examiner of the State must be set by the Governor.
11 Other nonsalaried medical examiners and nonsalaried medicolegal death investigators,
12 upon the submission of their completed report to the Chief Medical Examiner, must be
13 paid a fee of up to ~~\$85~~ \$100 for an inspection and view and are entitled to receive travel
14 expenses to be calculated at the mileage rate currently paid to state employees pursuant to
15 Title 5, section 8. An additional fee of \$50 may be authorized by the Chief Medical
16 Examiner for payment to other nonsalaried medical examiners and nonsalaried
17 medicolegal death investigators for visits to death scenes other than hospitals.

18 **PART FFF**

19 **Sec. FFF-1. 22 MRSA §3035, sub-§1, ¶¶A and B**, as enacted by PL 1997, c.
20 598, §1, are amended to read:

21 A. For report documents, the fees are as follows:

- 22 (1) Report documents when no autopsy has been performed, ~~\$10~~ \$15;
23 (2) Report documents when an autopsy has been performed, ~~\$25~~ \$35; and
24 (3) Report documents under subparagraphs (1) and (2) accompanied by a
25 certificate under section 3022, subsection 6, an additional fee of \$35, \$25 of
26 which accrues to the Secretary of State;

27 B. For histological slides, the fees are as follows:

- 28 (1) For each slide, ~~\$10~~ \$12.50;
29 (2) A handling fee per case, ~~\$20~~ \$25; and
30 (3) For 21 slides or more, an additional handling fee, ~~\$20~~ \$25; and

31 **PART GGG**

32 **Sec. GGG-1. 32 MRSA §1405, 2nd ¶**, as amended by PL 2007, c. 225, §1, is
33 further amended to read:

34 The body of a deceased person may not be cremated within 48 hours after death
35 unless the person died of a contagious or infectious disease, and in no event may the body

1 of a deceased person be cremated, buried at sea, used by medical science or removed
2 from the State until the person, firm or corporation in charge of the disposition has
3 received a certificate from a duly appointed medical examiner that the medical examiner
4 has made personal inquiry into the cause and manner of death and is satisfied that further
5 examination or judicial inquiry concerning the cause and manner of death is not
6 necessary. This certificate, a certified copy of the death certificate and a burial transit
7 permit when presented by the authorized person as defined in Title 22, section 2846 is
8 sufficient authority for cremation, burial at sea, use by medical science or removal from
9 the State, and the person, firm or corporation in charge of the disposition may not refuse
10 to cremate or otherwise dispose of the body solely because these documents are presented
11 by such an authorized person. The certificate must be retained by the person, firm or
12 corporation in charge of the cremation or disposition for a period of 15 years. For the
13 certificate, the medical examiner must receive a fee of ~~\$15~~ \$25 payable by the person
14 requesting the certificate. This fee may be waived at the discretion of the Chief Medical
15 Examiner.

16 **PART HHH**

17 **Sec. HHH-1. Rename Audit - Departmental Bureau program.**
18 Notwithstanding any other provision of law, the Audit - Departmental Bureau program
19 within the Office of the State Auditor is renamed the Audit Bureau program.

20 **PART III**

21 **Sec. III-1. Rename Audit - Unorganized Territory program.**
22 Notwithstanding any other provision of law, the Audit - Unorganized Territory program
23 within the Office of the State Auditor is renamed the Unorganized Territory program.

24 **PART JJJ**

25 **Sec. JJJ-1. 34-A MRSA §1403, sub-§13** is enacted to read:

26 **13. Personal Services balances authorized to carry to Capital Expenditures.**
27 Notwithstanding any other provision of law, beginning at the close of fiscal year 2017-18,
28 the department is authorized to carry all fiscal-year-end balances in the Personal Services
29 line category of General Fund accounts, after the deduction of all allocations, financial
30 commitments, other designated funds or any other transfers authorized by statute, to the
31 Capital Expenditures line category in the Capital Construction/Repairs/Improvements -
32 Corrections program, General Fund account in the department to be used for the purpose
33 of making capital improvements to correctional facilities.

34 **PART KKK**

35 **Sec. KKK-1. Transfers and adjustments to position count.** The
36 Commissioner of Corrections shall review the current organizational structure of the
37 Department of Corrections to improve organizational efficiency and cost-effectiveness
38 and shall recommend transfers of positions and available balances. Notwithstanding any

1 other provision of law, the State Budget Officer shall transfer the position counts and
2 available balances by financial order in order to achieve the purposes of this section from
3 July 1st to December 1st of each fiscal year of the 2018-2019 biennium. Position
4 adjustments made after December 1st and before July 1st of each fiscal year may not be
5 an adjustment to position count or appropriations. In accordance with the requirements of
6 the Maine Revised Statutes, Title 5, section 1585, a financial order describing such a
7 transfer must be submitted by the Department of Administrative and Financial Services,
8 Bureau of the Budget to the Office of Fiscal and Program Review 30 days before a
9 transfer is to be implemented. In case of extraordinary emergency transfers, the 30-day
10 prior submission requirement may be waived by vote of the joint standing committee of
11 the Legislature having jurisdiction over appropriations and financial affairs. Any transfer
12 or adjustment pursuant to this section that would result in a program or mission change or
13 facility closure must be reported by the Bureau of the Budget to the joint standing
14 committee of the Legislature having jurisdiction over criminal justice and public safety
15 matters for review before the associated financial order is submitted to the Governor for
16 approval. These transfers are considered adjustments to authorized position count,
17 appropriations and allocations.

18 **PART LLL**

19 **Sec. LLL-1. Department of Corrections; transfer of funds for overtime**
20 **expenses.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any
21 other provision of law, the Department of Corrections, by financial order upon the
22 recommendation of the State Budget Officer and approval of the Governor, may transfer
23 Personal Services, All Other or Capital Expenditures funding between accounts within
24 the same fund for the purposes of paying overtime expenses in fiscal years 2017-18 and
25 2018-19. These transfers are not considered adjustments to appropriations.

26 **PART MMM**

27 **Sec. MMM-1. Lapse balance; Department of Corrections; Prisoner**
28 **Boarding - Carrying account; General Fund.** Notwithstanding any other provision
29 of law to the contrary, the State Controller shall lapse \$1,644,985 of unencumbered
30 balance forward in the Prisoner Boarding - Carrying account within the Department of
31 Corrections to the unappropriated surplus of the General Fund no later than June 30,
32 2018.

33 **PART NNN**

34 **Sec. NNN-1. Transfer; unexpended funds; Maine Microenterprise**
35 **Initiative Fund program; Other Special Revenue Funds balance.**
36 Notwithstanding any other provision of law, the State Controller shall transfer \$68,163 no
37 later than the close of fiscal year 2017-18 from the Maine Microenterprise Initiative Fund
38 program, Other Special Revenue Funds account in the Department of Economic and
39 Community Development to the General Fund unappropriated surplus.

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PART OOO

Sec. OOO-1. Transfer; unexpended funds; Economic Opportunity program; Other Special Revenue Funds balance. Notwithstanding any other provision of law, the State Controller shall transfer \$78 no later than June 30, 2018 from the Economic Opportunity program, Other Special Revenue Funds account in the Department of Economic and Community Development to the General Fund unappropriated surplus.

PART PPP

Sec. PPP-1. Transfer; Job Retention Program, Other Special Revenue Funds balance. Notwithstanding any other provision of law, the State Controller shall transfer \$2,765 no later than June 30, 2018 from the Job Retention Program, Other Special Revenue Funds account in the Department of Economic and Community Development to the General Fund unappropriated surplus.

PART QQQ

Sec. QQQ-1. 20-A MRSA §203, sub-§1, ¶O, as enacted by PL 2015, c. 267, Pt. NN, §2, is repealed and the following enacted in its place:

O. Director of Special Projects.

PART RRR

Sec. RRR-1. 20-A MRSA §6401-A, sub-§1, as enacted by PL 2011, c. 380, Pt. DD, §2, is amended to read:

1. Establishment. The position of school nurse consultant is established within the department. ~~The Policy Director of Special Services within the department shall supervise the school nurse consultant.~~

PART SSS

Sec. SSS-1. 20-A MRSA §7209, sub-§4, as amended by PL 2013, c. 338, §1, is further amended to read:

4. Director of early childhood special education. The commissioner or the commissioner's designee shall appoint and supervise a director of early childhood special education. The director has the following powers and duties:

A. To administer the state intermediate educational unit established under subsection 3 and programs established pursuant to subsection 3-A. The director shall develop operating policies and establish organizational and operational procedures that include supervision, monitoring, data and accountability structures;

A-1. To oversee the operation of the regional sites;

- 1 B. To develop statewide policies and procedures for carrying out federal and state
2 laws and rules relating to child find, early intervention services and the provision of a
3 free, appropriate public education to children from birth to under 6 years of age;
- 4 C. To provide training in federal and state laws, regulations, rules and policies
5 relating to child find as provided in 20 United States Code, Section 1412 (a) (3), early
6 intervention services and the provision of a free, appropriate public education to
7 children from birth to under 6 years of age and to conduct regular file reviews to
8 determine compliance with federal and state laws, regulations, rules and policies and
9 conduct training and provide technical assistance where deficiencies are found;
- 10 E. To report annually by February 15th to the joint standing committee of the
11 Legislature having jurisdiction over education and cultural affairs, the joint standing
12 committee of the Legislature having jurisdiction over health and human services
13 matters and the joint standing committee of the Legislature having jurisdiction over
14 appropriations and financial affairs on the performance of the Child Development
15 Services System. This report must be posted on the publicly accessible website of the
16 department. The report must include:
- 17 (1) The following financial information for the Child Development Services
18 System in total and separately for the services provided to eligible children from
19 birth to under 3 years of age and at least 3 years of age and under 6 years of age
20 when the information can be separated for these age categories:
- 21 (a) Actual expenditures compared to the budget for each of the last 3 fiscal
22 years for each regional site, the central office and the total Child
23 Development Services System by function, including case management,
24 direct services and administration;
- 25 (b) Actual expenditures compared to the budget for each of the last 3 fiscal
26 years for each regional site, the central office and the total Child
27 Development Services System by expense type, including salaries, benefits,
28 contracted services and transportation;
- 29 (c) Actual revenues received compared to the budget for each of the last 3
30 fiscal years by revenue source; and
- 31 (d) The total dollar value of MaineCare claims paid through the Department
32 of Health and Human Services for each of the last 3 fiscal years for services
33 provided pursuant to children's individualized education programs or
34 individualized family service plans that were billed directly to the MaineCare
35 program by contracted service providers;
- 36 (2) The following data for the Child Development Services System in total and
37 separately for the services provided to eligible children from birth to under 3
38 years of age and at least 3 years of age and under 6 years of age, including
39 descriptions of any notable variations in these data among regional sites and any
40 notable year-to-year trends over the past 5 years:
- 41 (a) The number of children referred to the Child Development Services
42 System in the prior year by referral source, including the screening programs

- 1 in Title 22, sections 1532, 8824 and 8943, and the percentage of children
2 referred found eligible for services;
- 3 (b) The number of children who entered the Child Development Services
4 System in the prior year, categorized by primary disability;
- 5 (c) The number of children who exited the Child Development Services
6 System in the prior year, categorized by primary disability and the reason for
7 exit;
- 8 (d) The number of children who transitioned in the prior year from early
9 intervention services for children from birth to under 3 years of age to special
10 education and related services for children at least 3 years of age and under 6
11 years of age;
- 12 (e) The unduplicated count of children who received direct services as of
13 December 1st in the prior year;
- 14 (f) The number of children who received direct services in the prior year by
15 regional site and in total for the Child Development Services System,
16 categorized by primary disability;
- 17 (g) For each primary disability category, the number of children who
18 received, in the prior year, each primary type of therapy or service;
- 19 (h) The percentage of children who received direct services in the prior year
20 who had MaineCare coverage for all or some of the services specified in their
21 individualized education programs or individualized family service plans and
22 the percentage of children who received direct services in the prior year who
23 had private insurance coverage for all or some of the services specified in
24 their individualized education programs or individualized family service
25 plans;
- 26 (i) Beginning January 1, 2015, the number of children who received direct
27 services in the prior year who were born in the State and the number of
28 children who received direct services in the prior year who were born in the
29 State and who were delivered at home;
- 30 (j) Beginning January 1, 2015, the total number of children who were
31 referred in the prior year for support outside of the Child Development
32 Services System under subsection 3-A, paragraph G and the number of
33 children who received direct services in the prior year who were referred for
34 support outside of the Child Development Services System under subsection
35 3-A, paragraph G; and
- 36 (k) Beginning January 1, 2015, the number of children who received direct
37 services in the prior year who received all of the services in their
38 individualized family service plan or individualized education program and
39 the number of children who received direct services in the prior year who
40 received less than 90% of the services in their individualized family service
41 plan or individualized education program;

- 1 (3) A listing of the regional sites and their locations and the following data for
2 the Child Development Services System in total and by regional site, including
3 descriptions of any notable variations in these statistics among regional sites and
4 any notable year-to-year trends over the past 5 fiscal years:
- 5 (a) The total number of employees by function and the number of new
6 employees hired in the prior fiscal year by function;
- 7 (b) The number of private providers that contracted with the Child
8 Development Services System to provide direct services, including
9 transportation services, and the number of contracted providers delivering
10 each type of service in the prior fiscal year;
- 11 (c) The number of children who received direct services provided by Child
12 Development Services System employees in the prior fiscal year and the
13 number of children who received direct services provided by contracted
14 private providers in the prior fiscal year;
- 15 (d) The number of preschool or day care programs operated by each regional
16 site, the average enrollment in each program, the percentage of enrollees that
17 are children receiving services under individualized education programs or
18 individualized family service plans and expenses and revenues for the prior
19 fiscal year associated with the programs in each site; and
- 20 (e) The number of children who received direct services in the prior fiscal
21 year while placed in preschool programs operated by public school systems;
- 22 (4) Statistics and analysis of the following Child Development Services System
23 performance measures for the prior fiscal year, including descriptions of any
24 notable variations in these measures among regional sites and any notable year-
25 to-year trends over the past 5 fiscal years:
- 26 (a) Measures of compliance with key federal requirements related to
27 timeliness, quality and effectiveness of service as set out in required annual
28 federal reporting under the federal Individuals with Disabilities Education
29 Act;
- 30 (b) Measures of compliance with key state requirements related to
31 timeliness, quality and effectiveness of service as set out in statute and rules;
- 32 (c) Measures of productivity for Child Development Services System
33 employees providing case management and direct services to children;
- 34 (d) Measures of per unit costs, including the average cost of delivered
35 services per child by primary disability type, the average cost per unit of each
36 type of therapy or service delivered by Child Development Services System
37 staff and the average cost per unit of each type of therapy or service delivered
38 by contracted providers;
- 39 (e) Beginning January 1, 2015, the average age, both in aggregate and by
40 primary disability type, at which children who were born in the State began

1 receiving services from the Child Development Services System and the
2 average age, both in aggregate and by primary disability type, at which
3 children who were born in the State and who were delivered at home began
4 receiving services from the Child Development Services System; and

5 (f) Any other performance goals and measures established by the Child
6 Development Services System to monitor effectiveness, efficiency and the
7 cost of the Child Development Services System, which may include results
8 of surveys of parents and guardians on the quality and effectiveness of
9 services;

10 (5) Beginning January 1, 2015, a report by each regional site in the Child
11 Development Services System demonstrating trends of Child Development
12 Services System employee costs and the results of coordination, utilization and
13 development of services with a broad base of community resources, including
14 private providers and public schools, midwives, resources from other agencies
15 and other resources serving families and children from birth to under 6 years of
16 age, consistent with the provisions of Title 22, section 3571, subsection 3; and

17 (6) A description of current and emerging trends and challenges that are having
18 an effect on or are expected to have an effect on costs, services or service
19 delivery methods of the Child Development Services System; and

20 F. To provide the following data by the 20th day of each month to the Office of
21 Fiscal and Program Review, either in a monthly report or by providing the office
22 electronic access to the computer systems and applications by which the raw data are
23 stored, for each regional site and the central office:

24 (1) Monthly actual and budgeted revenue by funding source for the prior month;
25 and

26 (2) Monthly actual and budgeted expenditures by funding source and by
27 expenditure category for the prior month.

28 For the purposes of this subsection, "direct services" includes evaluations; therapies;
29 special instruction; the use of specially designed materials for instruction, screening and
30 testing; the use of assistive technology devices; and transportation and use of physical
31 space associated with providing other direct services.

32 **PART TTT**

33 This Part left blank intentionally.

34 **PART UUU**

35 **Sec. UUU-1. Transfer from General Fund unappropriated surplus; Fund**
36 **for Efficient Delivery of Educational Services, Other Special Revenue Funds**
37 **account; fiscal year 2017-18.** Notwithstanding any other provision of law, the State
38 Controller shall transfer \$5,000,000 from the General Fund unappropriated surplus to the

1 Fund for Efficient Delivery of Educational Services, Other Special Revenue Funds
2 account within the Department of Education no later than June 30, 2018.

3 **PART VVV**

4 **Sec. VVV-1. Lease-purchase authorization; Department of Education's**
5 **learning through technology program.** Pursuant to the Maine Revised Statutes,
6 Title 5, section 1587, the Department of Education may enter into financing agreements
7 in fiscal years 2017-18 and 2018-19 for the acquisition of portable learning devices and
8 support systems for students and educators to support the operations of the Department of
9 Education's learning through technology program. The financing agreements may not
10 exceed 4 years in duration and \$50,000,000 in principal costs for the Department of
11 Education's learning through technology program. The interest rate may not exceed 8%,
12 and the total interest costs may not exceed \$4,000,000. The annual principal and interest
13 costs must be paid from the appropriate line category allocations in the Department of
14 Education. The State is authorized to extend the provisions of the lease-purchase
15 agreement on behalf of school administrative units as long as all costs of the extension
16 are borne by the school administrative units.

17 **PART WWW**

18 **Sec. WWW-1. PL 2013, c. 595, Pt. H, §1,** as amended by PL 2015, c. 267, Pt.
19 JJJJ, §1, is further amended to read:

20 **Sec. H-1. Personal Services balances; Maine Health Data Organization;**
21 **transfers authorized.** Notwithstanding any other provision of law, in the 2014-2015
22 ~~and 2016-2017 bienniums and 2018-2019 biennia,~~ the Maine Health Data Organization
23 upon recommendation of the State Budget Officer and approval of the Governor is
24 authorized to transfer by financial order up to \$265,450 in each fiscal year of the 2014-
25 2015 biennium ~~and~~ up to \$286,000 in each fiscal year of the 2016-2017 biennium and up
26 to \$290,000 in each fiscal year of the 2018-2019 biennium in available balances of
27 Personal Services allocations, after all salary, benefit and other obligations are met, to the
28 All Other line category in the Maine Health Data Organization, Other Special Revenue
29 Funds account.

30 **PART XXX**

31 This Part left blank intentionally.

32 **PART YYY**

33 This Part left blank intentionally.

34 **PART ZZZ**

35 This Part left blank intentionally.

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PART AAAA

Sec. AAAA-1. 22 MRSA c. 250-A, as amended, is repealed.

Sec. AAAA-2. 36 MRSA §5283-A, sub-§1, as enacted by PL 2011, c. 685, §3, is amended to read:

1. Minimum threshold for total contributions. The State Tax Assessor may not include on an individual income tax return form a designation for a taxpayer to make a contribution through a checkoff under section 5284, 5284-A, 5285, ~~5285-A~~, 5288-A, 5289, 5290 or 5291 unless on returns filed in the prior calendar year the total contributions to the organization or fund to which the contributions are credited under the applicable section are at least:

- A. For calendar year 2012, \$10,000;
- B. For calendar year 2013, \$13,000;
- C. For calendar year 2014, \$16,000;
- D. For calendar year 2015, \$19,000;
- E. For calendar year 2016, \$22,000; and
- F. For calendar years beginning on or after January 1, 2017, \$25,000.

This subsection does not apply to a contribution checkoff that has been on the individual income tax form for less than one year.

Sec. AAAA-3. 36 MRSA §5285-A, as amended by PL 2011, c. 685, §7, is repealed.

PART BBBB

Sec. BBBB-1. 22 MRSA §1407, sub-§4, as enacted by PL 2007, c. 341, §1, is repealed.

PART CCCC

Sec. CCCC-1. 22 MRSA §1552, sub-§4, as amended by PL 2003, c. 673, Pt. CC, §1, is further amended to read:

4. Application fees. All application fees must be deposited in the ~~General Fund Health Inspection Program account, which is an Other Special Revenue Funds account in the Maine Center for Disease Control and Prevention, to be used by the department to defray administrative costs for retail tobacco licensure.~~

PART DDDD

Sec. DDDD-1. 22 MRSA §1700-A, as enacted by PL 2005, c. 672, §2 and affected by §§6 and 8, is repealed.

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PART JJJJ

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PART KKKK

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PART LLLL

Sec. LLLL-1. Transition provisions. Notwithstanding any other provision of law, at the end of fiscal year 2016-17, the State Controller, on behalf of the Department of Health and Human Services, formerly the Department of Behavioral and Developmental Services, shall transfer, after the deduction of all allocations, financial commitments and other designated funds and any other transfer authorized by statute, any remaining balances to the corresponding accounts in the Department of Health and Human Services. Additionally, all existing contracts, agreements and compacts currently in effect in the Department of Health and Human Services, formerly the Department of Behavioral and Developmental Services, continue in effect.

PART MMMM

Sec. MMMM-1. PL 2007, c. 240, Pt. X, §2, as amended by PL 2015, c. 267, Pt. BBB, §1, is further amended to read:

Sec. X-2. Transfer of funds. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, until June 30, ~~2017~~ 2019, available balances of appropriations in MaineCare General Fund accounts may be transferred between accounts by financial order upon the recommendation of the State Budget Officer and approval of the Governor.

PART NNNN

Sec. NNNN-1. Department of Health and Human Services; transfer of funds for MaineCare payments authorized. Notwithstanding any provision of law, for fiscal years 2017-18 and 2018-19 only, available balances of appropriations, excluding balances in the IV-E Foster Care/Adoption Assistance and State-funded Foster Care/Adoption Assistance programs, including available balances of Personal Services appropriations from any account within the Department of Health and Human Services, may be transferred among MaineCare, MaineCare-related and non-MaineCare-related accounts by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

Sec. NNNN-2. Transfer of Personal Services balances to All Other; state psychiatric centers. Notwithstanding any other provision of law, for fiscal years 2017-18 and 2018-19 only, the Department of Health and Human Services is authorized to

1 transfer available balances of Personal Services appropriations in the Disproportionate
2 Share - Dorothea Dix Psychiatric Center program, the Disproportionate Share -
3 Riverview Psychiatric Center program and the Riverview Psychiatric Center program
4 after all salary, benefit and other obligations are met to the All Other line category of
5 those programs. These amounts may be transferred by financial order upon the
6 recommendation of the State Budget Officer and approval of the Governor. These
7 transfers are not considered adjustments to appropriations.

8 **PART OOOO**

9 **Sec. OOOO-1. PL 2015, c. 267, Pt. DDD, §1** is amended to read:

10 **Sec. DDD-1. Transfer of funds.** Notwithstanding any other provision of law,
11 before fiscal year 2019-20, dedicated family support services funds within the
12 Department of Health and Human Services, Developmental Services - Community
13 program may be transferred to support individuals receiving services to the Office of
14 Aging and Disability Services Central Office program and the Long Term Care - Office
15 of Aging and Disability Services program by financial order upon the recommendation of
16 the State Budget Officer and approval of the Governor. These transfers are not
17 considered adjustments to appropriations.

18 **PART PPPP**

19 **Sec. PPPP-1. Transfer of funds.** Notwithstanding any other provision of law,
20 for fiscal years 2017-18 and 2018-19 only, the Department of Health and Human Services
21 is authorized to transfer available balances of All Other or Personal Services
22 appropriations, after all salary, benefit and other obligations are met, in the
23 Developmental Services - Community program to the Personal Services line category of
24 the Crisis Outreach Program by financial order upon the recommendation of the State
25 Budget Officer and approval of the Governor. These transfers are not considered
26 adjustments to appropriations.

27 **PART QQQQ**

28 **Sec. QQQQ-1. Transfer of funds.** Notwithstanding any other provision of law,
29 for fiscal years 2017-18 and 2018-19, the Department of Health and Human Services may
30 transfer available balances of appropriations from the State-funded Foster Care/Adoption
31 Assistance program in the All Other line category to the Office of Child and Family
32 Services - Central and the Office of Child and Family Services - District programs to
33 fund expenditures in the Personal Services or All Other line category that are incurred
34 due to the cost of administering the child welfare program. These amounts may be
35 transferred by financial order upon the recommendation of the State Budget Officer and
36 approval of the Governor. These transfers are not considered adjustments to
37 appropriations.

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PART RRRR

Sec. RRRR-1. Rename Office of the Commissioner program. Notwithstanding any other provision of law, the Office of the Commissioner program within the Department of Health and Human Services is renamed the Department of Health and Human Services Central Operations program.

PART SSSS

Sec. SSSS-1. Rename Division of Licensing and Regulatory Services program. Notwithstanding any other provision of law, the Division of Licensing and Regulatory Services program within the Department of Health and Human Services is renamed the Division of Licensing and Certification program.

PART TTTT

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

PART UUUU

Sec. UUUU-1. 4 MRSA §1804, sub-§2, ¶A, as enacted by PL 2009, c. 419, §2, is amended to read:

A. Standards governing eligibility for indigent legal services. The eligibility standards must take into account the possibility of a defendant's or civil party's ability to make periodic installment payments toward counsel fees;

Sec. UUUU-2. 4 MRSA §1804, sub-§2, ¶D, as enacted by PL 2009, c. 419, §2, is amended to read:

D. Standards for the evaluation of assigned counsel and contract counsel. The commission shall review the standards developed pursuant to this paragraph every 5 years or upon the earlier recommendation of the executive director;

Sec. UUUU-3. 4 MRSA §1804, sub-§3, ¶B, as enacted by PL 2009, c. 419, §2, is amended to read:

B. Develop and maintain an assigned counsel voucher review and payment authorization system that includes disposition information;

Sec. UUUU-4. 4 MRSA §1804, sub-§3, ¶H, as enacted by PL 2009, c. 419, §2, is amended to read:

1 H. ~~Submit~~ By January 15th of each year, submit to the Legislature, the Chief Justice
2 of the Supreme Judicial Court and the Governor an annual report on the operation,
3 needs and costs of the indigent legal services system; The report must include:

4 (1) An evaluation of: contracts; services provided by contract counsel and
5 assigned counsel; any contracted professional services; and cost containment
6 measures; and

7 (2) An explanation of the relevant law changes to the indigent legal services
8 covered by the commission and the effect of the changes on the quality of
9 representation and costs.

10 The joint standing committee of the Legislature having jurisdiction over judiciary
11 matters may report out legislation on matters related to the report;

12 **Sec. UUUU-5. 4 MRSA §1804, sub-§3, ¶J,** as amended by PL 2013, c. 159,
13 §12, is further amended to read:

14 J. Develop an administrative review and appeal process for attorneys who are
15 aggrieved by a decision of the executive director, or the executive director's designee,
16 determining:

17 (1) Whether an attorney meets the minimum eligibility requirements to receive
18 assignments or to receive assignments in specialized case types pursuant to any
19 commission rule setting forth eligibility requirements;

20 (2) Whether an attorney previously found eligible is no longer eligible to receive
21 assignments or to receive assignments in specialized case types pursuant to any
22 commission rule setting forth eligibility requirements; and

23 (3) Whether to grant or withhold a waiver of the eligibility requirements set forth
24 in any commission rule.

25 All decisions of the commission, including decisions on appeals under subparagraphs
26 (1), (2) and (3), constitute final agency action. All decisions of the executive
27 director, or the executive director's designee, other than decisions appealable under
28 subparagraphs (1), (2) and (3), constitute final agency action; ~~and~~

29 **Sec. UUUU-6. 4 MRSA §1804, sub-§3, ¶K,** as enacted by PL 2013, c. 159,
30 §13, is amended to read:

31 K. Pay appellate counsel;

32 **Sec. UUUU-7. 4 MRSA §1804, sub-§3, ¶¶L and M** are enacted to read:

33 L. Establish processes and procedures to acquire investigative and expert services
34 that may be necessary for a case, including contracting for such services; and

35 M. Establish procedures for handling complaints about the performance of counsel
36 providing indigent legal services.

37 **Sec. UUUU-8. 4 MRSA §1805, sub-§6,** as enacted by PL 2009, c. 419, §2, is
38 amended to read:

1 **6. Personnel.** Subject to policies and procedures established by the commission,
2 hire or contract professional, technical and support personnel, including attorneys,
3 considered reasonably necessary for the efficient delivery of indigent legal services;

4 **Sec. UUUU-9. 4 MRSA §1805, sub-§7, ¶A-1** is enacted to read:

5 A-1. A monthly report on the amount of revenue collected from counsel fee
6 collections, including counsel expenses recouped each month and for the year to date;

7 **Sec. UUUU-10. 4 MRSA §1805, sub-§7, ¶B,** as enacted by PL 2009, c. 419, §2,
8 is amended to read:

9 B. An annual report containing pertinent data on the operation, needs and costs of the
10 indigent legal services system; ~~and~~

11 **Sec. UUUU-11. 4 MRSA §1805, sub-§7, ¶B-1** is enacted to read:

12 B-1. A monthly report on the number of cases opened, the number of vouchers
13 submitted, the amount of vouchers paid, the amount of payments to contract counsel,
14 the number of requests for professional services, the amount of payments for
15 professional services and information on any complaints made against assigned or
16 contract counsel;

17 **Sec. UUUU-12. 4 MRSA §1805, sub-§10,** as enacted by PL 2009, c. 419, §2, is
18 amended to read:

19 **10. Other funds.** Apply for and accept on behalf of the commission funds that may
20 become available from any source, including government, nonprofit or private grants,
21 gifts or bequests. These non-General Fund funds do not lapse at the end of the fiscal year
22 but must be carried forward to be used for the purpose originally intended;

23 **Sec. UUUU-13. 4 MRSA §1805, sub-§10-A** is enacted to read:

24 **10-A. Reimbursement of expenses.** Administer and improve reimbursement of
25 expenses incurred by assigned counsel and contract counsel as described in section
26 1805-A;

27 **Sec. UUUU-14. 4 MRSA §1805-A** is enacted to read:

28 **§1805-A. Indigency determinations; redeterminations; verifications; collections**

29 **1. Duties.** The executive director shall administer and improve reimbursement of
30 expenses incurred by assigned counsel and contract counsel by:

31 A. Establishing procedures to ensure that the eligibility of defendants and civil
32 parties is verified and reviewed randomly and when circumstances have changed,
33 information has changed, additional information is provided or as otherwise needed;

34 B. Petitioning the court to reassess the indigency of a defendant or civil party if the
35 executive director determines that indigency should be reassessed;

36 C. Providing to the commission recommendations to improve reimbursement of
37 expenses;

1 D. Requiring that the amount of time spent on each case by assigned counsel or
2 contract counsel is recorded separately for each case; and

3 E. Receiving from the courts collections for the costs of representation from
4 defendants or civil parties who are found to be partially indigent or who have
5 otherwise been determined to be able to reimburse the commission for expenses
6 incurred by assigned counsel or contract counsel.

7 **2. Determination of defendant's or civil party's eligibility.** The executive director
8 shall provide the court having jurisdiction over a proceeding information used to
9 determine indigency for guidance to the court in determining a defendant's or civil
10 party's financial ability to obtain private counsel.

11 **3. Partial indigency and reimbursement.** This subsection applies to partial
12 indigency and reimbursement of expenses incurred by assigned counsel or contract
13 counsel.

14 A. If the court determines that a defendant or civil party is unable to pay to obtain
15 private counsel but is able to contribute to payment of assigned counsel or contract
16 counsel, the court shall order the defendant or civil party to make installment
17 payments up to the full cost of representation or to pay a fixed contribution. The
18 court shall remit payments received to the commission.

19 B. A defendant or civil party may not be required to pay for legal services in an
20 amount greater than the expenses actually incurred.

21 C. Upon petition of a defendant or civil party who is incarcerated, the court may
22 suspend an order for reimbursement issued pursuant to this subsection until the time
23 of the defendant's or civil party's release.

24 D. The executive director may enter into contracts to secure the reimbursement of
25 fees and expenses paid by the commission as provided for in this section.

26 **Sec. UUUU-15. 15 MRSA §1074, sub-§3,** as amended by PL 2003, c. 87, §1, is
27 further amended to read:

28 **3. Setoff of defendant's property.** When a defendant has deposited cash or other
29 property owned by the defendant as bail or has offered real estate owned by the defendant
30 and subject to a bail lien as bail and the cash, other property or real estate has not been
31 forfeited, the court, before ordering the cash or other property returned to the defendant or
32 discharging the real estate bail lien, shall determine whether the cash, other property or
33 real estate or any portion of the cash, other property or real estate is subject to setoff as
34 authorized by this section. The court may order all or a portion of the bail owned by a
35 defendant that has not been forfeited to be first paid and applied to one or more of the
36 following:

37 A. Any fine, forfeiture, penalty or fee imposed upon a defendant as part of the
38 sentence for conviction of any offense arising out of the criminal proceeding for
39 which the bail has been posted and the sentence for conviction of any offense in an
40 unrelated civil or criminal proceeding;

1 B. Any amount of restitution the defendant has been ordered to pay as part of the
2 sentence imposed in the proceeding for which bail has been posted and in any
3 unrelated proceeding;

4 C. Any amount of attorney's fees or other expense authorized by the court at the
5 request of the defendant or attorney and actually paid by the State on behalf of the
6 defendant on the ground that the defendant has been found to be indigent in the
7 proceeding for which bail has been posted and in any unrelated proceeding; and

8 D. Any surcharge imposed by Title 4, section 1057.

9 The court shall apply any bail collected pursuant to this subsection first to restitution then
10 to attorney's fees and then to fines and surcharges.

11 **Sec. UUUU-16. 36 MRSA §191, sub-§2, ¶DDD** is enacted to read:

12 DDD. The disclosure by employees of the bureau to an authorized representative of
13 the Maine Commission on Indigent Legal Services for determining the eligibility for
14 indigent legal services and the ability to reimburse expenses incurred for assigned
15 counsel and contract counsel under Title 4, chapter 37.

16 **Sec. UUUU-17. Working group established.** Notwithstanding Joint Rule 353,
17 the Working Group to Improve the Provision of Indigent Legal Services, referred to in
18 this section as "the working group," is established.

19 **1. Membership.** The working group consists of 11 members appointed as follows:

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

23 B. Two members of the House of Representatives appointed by the Speaker of the
24 House, including members from each of the 2 parties holding the largest number of
25 seats in the Legislature;

26 C. Two members appointed by Chief Justice of the Supreme Judicial Court, at least
27 one of whom is on a court-appointed attorney roster administered by the Maine
28 Commission on Indigent Legal Services;

29 D. The Attorney General or the Attorney General's designee;

30 E. The Commissioner of Administrative and Financial Services or the
31 commissioner's designee;

32 F. The Director of the Governor's Office of Policy and Management or the director's
33 designee;

34 G. The President of the Maine Prosecutors Association or the president's designee;
35 and

36 H. The Chair of the Maine Commission on Indigent Legal Services or the chair's
37 designee.

38 **2. Chairs.** The first-named Senate member is the Senate chair and the first-named
39 House of Representatives member is the House chair of the working group.

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PART WWWW

Sec. WWWW-1. Transfer of funds; Department of Inland Fisheries and Wildlife carrying account. On or before August 1, 2017, the State Controller shall transfer \$39,000 from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account for the purchase of one replacement aircraft engine. On or before August 1, 2018, the State Controller shall transfer \$43,000 from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account for the purchase of one replacement aircraft engine.

PART XXXX

Sec. XXXX-1. 4 MRSA §6-B, as amended by PL 2003, c. 290, §1, is further amended to read:

§6-B. Per diem compensation for Active Retired Justices of the Supreme Judicial Court

Any Active Retired Justice of the Supreme Judicial Court, who performs judicial service at the direction and assignment of the Chief Justice of the Supreme Judicial Court, must be compensated for those services at the rate of ~~\$300~~ \$350 per day or ~~\$175~~ \$200 per 1/2 day, ~~provided that the total per diem compensation and retirement pension received by an Active Retired Justice of the Supreme Judicial Court in any calendar year does not exceed the annual salary of a Justice of the Supreme Judicial Court as long as the total compensation received under this section by an Active Retired Justice of the Supreme Judicial Court in any calendar year does not exceed 75% of the annual salary of an Associate Justice of the Supreme Judicial Court set pursuant to section 4. An Active Retired Justice of the Supreme Judicial Court who receives compensation under this section does not accrue additional creditable service for benefit calculation purposes and is not entitled to any other employee benefit, including health, dental or life insurance.~~

Sec. XXXX-2. 4 MRSA §104-A, as amended by PL 2001, c. 439, Pt. DDD, §1, is further amended to read:

§104-A. Per diem compensation for Active Retired Superior Court Justices

Any Active Retired Justice of the Superior Court, who performs judicial service at the direction and assignment of the Chief Justice of the Supreme Judicial Court, is compensated for those services at the rate of ~~\$300~~ \$350 per day or ~~\$175~~ \$200 per 1/2 day, ~~provided that the total per diem compensation and retirement pension received by an Active Retired Justice of the Superior Court in any calendar year does not exceed the annual salary of a Justice of the Superior Court as long as the total compensation received under this section by an Active Retired Justice of the Superior Court in any calendar year does not exceed 75% of the annual salary of a Justice of the Superior Court set pursuant to section 102. An Active Retired Justice of the Superior Court who receives compensation under this section does not accrue additional creditable service for benefit~~

1 calculation purposes and is not entitled to any other employee benefit, including health,
2 dental or life insurance.

3 **Sec. XXXX-3. 4 MRSA §157-D**, as amended by PL 2001, c. 439, Pt. DDD, §2, is
4 further amended to read:

5 **§157-D. Active retired judges; compensation**

6 Any Active Retired Judge of the District Court, who performs judicial service at the
7 direction and assignment of the Chief Judge of the District Court, is compensated for
8 those services at the rate of ~~\$300~~ \$350 per day or ~~\$175~~ \$200 per 1/2 day, ~~provided that~~
9 ~~the total per diem compensation and retirement pension received by an Active Retired~~
10 ~~Judge of the District Court in any calendar year does not exceed the annual salary of a~~
11 ~~Judge of the District Court as long as the total compensation received under this section~~
12 ~~by an Active Retired Judge of the District Court in any calendar year does not exceed~~
13 ~~75% of the annual salary of an Associate Judge of the District Court set pursuant to~~
14 ~~section 157. An Active Retired Judge of the District Court who receives compensation~~
15 ~~under this section does not accrue additional creditable service for benefit calculation~~
16 ~~purposes and is not entitled to any other employee benefit, including health, dental or life~~
17 ~~insurance.~~

18 **Sec. XXXX-4. Judges and justice salary adjustment.** Notwithstanding any
19 provision of the Maine Revised Statutes, Title 4, on July 1, 2017, the salary of each judge
20 or justice of the Supreme Judicial, Superior or District Court must be increased by 3%;
21 and on July 1, 2018, the salary of each judge or justice on the Supreme Judicial, Superior
22 or District Court must be increased by 3%.

23 **PART YYYY**

24 **Sec. YYYY-1. 4 MRSA §17-A**, as amended by PL 2013, c. 502, Pt. V, §1, is
25 further amended to read:

26 **§17-A. Publications and technology**

27 **1. Informational publications and record searches.** The State Court
28 Administrator may establish a fee schedule to cover the cost of printing and distribution
29 of publications and forms, the procedures for the sale of these publications and forms and
30 record searches performed by Judicial Department employees.

31 **2. Fund; fees deposited.** All fees collected under this section from the sale of
32 publications or forms must be deposited in a fund for use by the State Court
33 Administrator to fund publications, forms and information technology. Twenty percent
34 of fees collected for record searches under subsection 1 must be deposited in the fund,
35 and 80% of fees collected for such record searches must be deposited in the General
36 Fund.

37 **3. Fees and surcharges for electronic filing.** The Supreme Judicial Court may by
38 court rules or administrative orders raise or establish fees for online case searches
39 performed by Judicial Department employees and electronic document delivery and case
40 filings and surcharges on fines to support the operating costs of maintaining an electronic

1 filing and court information management system. All revenues collected under this
2 subsection must be deposited in a fund to be used for those operating costs, including, but
3 not limited to, costs of electronic filing, imaging and hardware, software maintenance
4 fees and hardware maintenance fees and personnel costs.

5 **PART ZZZZ**

6 **Sec. ZZZZ-1. 26 MRSA §1081, sub-§4** is enacted to read:

7 **4. Removal.** Members of the commission must be sworn and may be removed by
8 the Governor for inefficiency, willful neglect of duty or malfeasance in office, but only
9 with the review and concurrence of the joint standing committee of the Legislature
10 having jurisdiction over labor matters upon hearing in executive session or by
11 impeachment. Before removing a commission member, the Governor shall notify the
12 President of the Senate and the Speaker of the House of Representatives of the removal
13 and the reasons for the removal.

14 **PART AAAAA**

15 **Sec. AAAAA-1. 26 MRSA §1082, sub-§14, ¶¶A and B**, as amended by PL
16 1995, c. 657, §2 and affected by §10, are further amended to read:

17 A. The Director of Unemployment Compensation or a representative of the
18 commissioner duly authorized by the commissioner to do so shall determine whether
19 an employing unit is an employer and whether services performed for or in
20 connection with the business of the employing unit constitute employment; and shall
21 give written notice of the determination to the employing unit. Unless the employing
22 unit, within 30 calendar days after notification was mailed to its last known address,
23 files an appeal from that determination to the Division of Administrative Hearings,
24 the determination is final.

25 B. After a determination has been made under paragraph A, the Director of
26 Unemployment Compensation or a representative of the commissioner may within
27 one year reconsider the determination in the light of additional evidence and make a
28 redetermination and shall give written notice of the redetermination to the employing
29 unit. Unless the employing unit, within 30 calendar days after notification was
30 mailed to its last known address, files an appeal from that redetermination to the
31 Division of Administrative Hearings, the redetermination is final.

32 **Sec. AAAAA-2. 26 MRSA §1082, sub-§14, ¶C**, as amended by PL 1981, c.
33 470, Pt. A, §145, is repealed.

34 **Sec. AAAAA-3. 26 MRSA §1082, sub-§14, ¶D**, as amended by PL 1977, c.
35 694, §472, is further amended to read:

36 ~~D. Appeal. Upon appeal of such determination or redetermination, the commission~~
37 ~~shall after affording the employing unit a reasonable opportunity for a fair hearing,~~
38 ~~make findings of fact and render its decision which may affirm, modify, or reverse~~
39 ~~the determination of the Director of Unemployment Compensation or its~~

1 ~~representative. Such hearings shall be conducted in accordance with Title 5, section~~
2 ~~9051 et seq. The employer or the commissioner may appeal a decision of the Division~~
3 ~~of Administrative Hearings to the commission, which may affirm, modify or reverse~~
4 ~~the decision upon review of the record. The commission may hold further hearings~~
5 ~~or may remand the case to the Division of Administrative Hearings for the taking of~~
6 ~~additional evidence. The commission shall notify the parties to the proceeding of its~~
7 ~~findings of fact and decision, and such decision shall be is subject to appeal pursuant~~
8 ~~to Title 5, section 11001 et seq. In the absence of appeal therefrom, the determination~~
9 ~~of the commission, together with the record of the proceeding under this subsection,~~
10 ~~shall be is~~ admissible in any subsequent material proceeding under this chapter, and if
11 supported by evidence, and in the absence of fraud, ~~shall be is~~ conclusive, except as
12 to errors of law, upon any employing unit ~~which that~~ was a party to the proceeding
13 under this subsection.

14 **Sec. AAAAA-4. 26 MRSA §1226**, as amended by PL 1995, c. 657, §6 and
15 affected by §10, is further amended to read:

16 **§1226. Appeal of determination or assessment**

17 **1. Appeal to the commission.**

18 A. An employer may appeal determinations by the commissioner or the
19 commissioner's designated representatives made under sections 1082, subsection 14,
20 1221, 1222 and, 1225 and 1228, or an assessment made under section 1225, to the
21 ~~commission~~ Division of Administrative Hearings by filing an appeal, in accordance
22 with ~~regulations~~ rules that the commission prescribes, within 30 days after
23 notification is mailed to the employer's last known address as it appears in the records
24 of the bureau or, in the absence of such mailing, within 30 days after the notification
25 is delivered. If the employer fails to perfect this appeal, the assessment or
26 determination is final as to law and fact.

27 B. Upon appeal from such assessment or determination the ~~commission~~ Division of
28 Administrative Hearings shall, after affording the appellant and the commissioner's
29 designated representative a reasonable opportunity for a fair hearing, make finding of
30 facts and render its decision, which may affirm, modify or reverse the action of the
31 designated representative. The conduct of the hearings ~~shall be is~~ governed by
32 ~~regulations~~ rules of the commission consistent with Title 5, section 9051 et seq. The
33 ~~commission~~ Division of Administrative Hearings shall promptly notify the parties to
34 the proceeding of its finding of facts and its decision. The decision ~~shall be is~~ subject
35 to appeal to the commission, which may affirm, modify or reverse the decision of the
36 Division of Administrative Hearings based on the evidence presented or may remand
37 the case to the Division of Administrative Hearings for further hearing pursuant to the
38 commission's rules. The decision of the commission is subject to appeal pursuant to
39 Title 5, section 11001 et seq. The commissioner shall have has the right to appeal a
40 final decision of the ~~Maine Unemployment Insurance Commission~~ commission to the
41 Superior Court.

42 **3. Conclusiveness of determination.** Any determination or decision duly made in
43 proceedings under section 1082, subsection 14, or this subchapter, ~~which that~~ has become
44 final, ~~shall be is~~ binding in any proceedings relating to applications or requests for

1 refunds or credit, insofar as such determination or decision necessarily involves the issue
2 of whether an employing unit constitutes an employer or whether services performed for,
3 or in connection with, the business of such employing unit constitute employment.

4 **PART BBBBB**

5 **Sec. BBBBB-1. 26 MRSA §1166, sub-§3**, as enacted by PL 2007, c. 352, Pt. A,
6 §1, is repealed.

7 **PART CCCCC**

8 **Sec. CCCCC-1. 26 MRSA §1191, sub-§3**, as amended by PL 2009, c. 466, §1,
9 is further amended to read:

10 **3. Weekly benefit for partial unemployment.** Each eligible individual who is
11 partially unemployed in any week must be paid a partial benefit for that week. The
12 partial benefit is equal to the weekly benefit amount less the individual's weekly earnings
13 in excess of \$25, except that, beginning the first full benefit week beginning on or after
14 January 1, 2018, the partial benefit is equal to the weekly benefit amount less the
15 individual's weekly earnings in excess of \$100. The following amounts are not
16 considered wages for purposes of this subsection:

17 A. Amounts received from the Federal Government by a member of the National
18 Guard and organized reserve, including base pay and allowances;

19 B. Amounts received as a volunteer firefighter or as a volunteer emergency medical
20 services person;

21 C. Amounts received as an elected member of the Legislature; and

22 D. Earnings for the week received as a result of participation in full-time training
23 under the United States Trade Act of 1974 as amended by the United States Trade
24 and Globalization Adjustment Assistance Act of 2009 up to an amount equal to the
25 individual's most recent weekly benefit amount.

26 **Sec. CCCCC-2. 26 MRSA §1221, sub-§3, ¶A**, as amended by PL 2017, c. 117,
27 §12, is further amended to read:

28 A. At the time the status of an employing unit is ascertained to be that of an
29 employer, the commissioner shall establish and maintain, until the employer status is
30 terminated, for the employer an experience rating record, to which are credited all the
31 contributions that the employer pays on the employer's own behalf. This chapter may
32 not be construed to grant any employer or individuals in the employer's service prior
33 claims or rights to the amounts paid by the employer into the fund. Benefits paid to
34 an eligible individual under the ~~Maine~~ Employment Security Law must be charged
35 against the experience rating record of the claimant's most recent subject employer,
36 except that, beginning January 1, 2018, benefits paid to an eligible individual under
37 the Employment Security Law must be charged against the experience rating record
38 of the claimant's employers in a ratio inversely proportional to the claimant's
39 employment beginning with the most recent employer, or to the General Fund if the

1 otherwise chargeable experience rating record is that of an employer whose status as
2 such has been terminated; except that no charge may be made to an individual
3 employer but must be made to the General Fund if the commission finds that:

4 (1) The claimant's separation from the claimant's last employer was for
5 misconduct in connection with the claimant's employment or was voluntary
6 without good cause attributable to the employer;

7 (2) The claimant has refused to accept reemployment in suitable work when
8 offered by a previous employer, without good cause attributable to the employer;

9 (3) Benefits paid are not chargeable against any employer's experience rating
10 record in accordance with section 1194, subsection 11, paragraphs B and C;

11 (5) Reimbursements are made to a state, the Virgin Islands or Canada for
12 benefits paid to a claimant under a reciprocal benefits arrangement as authorized
13 in section 1082, subsection 12, as long as the wages of the claimant transferred to
14 the other state, the Virgin Islands or Canada under such an arrangement are less
15 than the amount of wages for insured work required for benefit purposes by
16 section 1192, subsection 5;

17 (6) The claimant was hired by the claimant's last employer to fill a position left
18 open by a Legislator given a leave of absence under chapter 7, subchapter 5-A,
19 and the claimant's separation from this employer was because the employer
20 restored the Legislator to the position after the Legislator's leave of absence as
21 required by chapter 7, subchapter 5-A;

22 (7) The claimant was hired by the claimant's last employer to fill a position left
23 open by an individual who left to enter active duty in the United States military,
24 and the claimant's separation from this employer was because the employer
25 restored the military serviceperson to the person's former employment upon
26 separation from military service;

27 (8) The claimant was hired by the claimant's last employer to fill a position left
28 open by an individual given a leave of absence for family medical leave provided
29 under Maine or federal law, and the claimant's separation from this employer was
30 because the employer restored the individual to the position at the completion of
31 the leave; or

32 (9) The claimant initiated a partial separation or reduction of hours and that
33 partial separation or reduction of hours was agreed to by the employee and
34 employer.

35 **Sec. CCCCC-3. 26 MRSA §1221, sub-§3, ¶C-1**, as enacted by PL 2011, c.
36 499, §2 and affected by §4, is repealed.

37 **Sec. CCCCC-4. 26 MRSA §1221, sub-§4, ¶B**, as amended by PL 1995, c. 220,
38 §1, is further amended to read:

39 B. Subject to paragraph A, each employer's contribution rate for the 12-month period
40 commencing January 1st of each year is based upon the employer's experience rating

1 record and determined from the employer's reserve ratio, which is the percent
2 obtained by dividing the amount by which, if any, the employer's contributions
3 credited from the time the employer first or most recently became an employer,
4 whichever date is later, and up to and including June 30th of the preceding year,
5 including any part of the employer's contributions due for that year paid on or before
6 July 31st of that year, exceed the employer's benefits charged during the same period,
7 by the employer's average annual payroll for the 36-consecutive-month period ending
8 June 30th of the preceding year. The employer's contribution rate is the percent
9 shown on the line of the following table on which in column A there is indicated the
10 employer's reserve ratio and under the schedule within which the reserve multiple
11 falls as of September 30th of each year. The following table applies for each 12-
12 month period commencing January 1st of each year as determined by paragraph C.
13 ~~Notwithstanding any other provisions of this paragraph, each employer's contribution~~
14 ~~rate computed and effective as of July 1, 1981, is for the 6 month period ending~~
15 ~~December 31, 1981.~~

16

EMPLOYER'S CONTRIBUTION RATE IN PERCENT OF WAGES										
Employer										
Reserve Ratio			When Reserve Multiple is:							
Equal to	Less	over	2.37-	2.23-	2.09-	1.95-	1.81-	1.67-	1.53-	
or	more	than	2.50	2.50	2.36	2.22	2.08	1.94	1.80	1.66
more	than	than								
Column A			Schedules							
			A	B	C	D	E	F	G	H
10	19.0%	and over	0.5%	0.6%	0.7%	0.8%	0.9%	1.0%	1.1%	1.2%
11	18.0%	19.0%	0.6%	0.7%	0.8%	0.9%	1.0%	1.1%	1.2%	1.3%
12	17.0%	18.0%	0.7%	0.8%	0.9%	1.0%	1.1%	1.2%	1.3%	1.4%
13	16.0%	17.0%	0.8%	0.9%	1.0%	1.1%	1.2%	1.3%	1.4%	1.5%
14	15.0%	16.0%	0.9%	1.0%	1.1%	1.2%	1.3%	1.4%	1.5%	1.6%
15	14.0%	15.0%	1.0%	1.1%	1.2%	1.3%	1.4%	1.5%	1.6%	1.7%
16	13.0%	14.0%	1.1%	1.2%	1.3%	1.4%	1.5%	1.6%	1.7%	1.8%
17	12.0%	13.0%	1.2%	1.3%	1.4%	1.5%	1.6%	1.7%	1.8%	1.9%
18	11.0%	12.0%	1.3%	1.4%	1.5%	1.6%	1.7%	1.8%	1.9%	2.0%
19	10.0%	11.0%	1.4%	1.5%	1.6%	1.7%	1.8%	1.9%	2.0%	2.1%
20	9.0%	10.0%	1.5%	1.6%	1.7%	1.8%	1.9%	2.0%	2.1%	2.2%
21	8.0%	9.0%	1.6%	1.7%	1.8%	1.9%	2.0%	2.1%	2.2%	2.3%
22	7.0%	8.0%	1.7%	1.8%	1.9%	2.0%	2.1%	2.2%	2.3%	2.4%
23	6.0%	7.0%	1.8%	1.9%	2.0%	2.1%	2.2%	2.3%	2.4%	2.5%
24	5.0%	6.0%	1.9%	2.0%	2.1%	2.2%	2.3%	2.4%	2.5%	2.6%
25	4.0%	5.0%	2.0%	2.1%	2.2%	2.3%	2.4%	2.5%	2.6%	2.7%
26	3.0%	4.0%	2.2%	2.3%	2.4%	2.5%	2.6%	2.7%	2.8%	2.9%
27	2.0%	3.0%	2.4%	2.5%	2.6%	2.7%	2.8%	2.9%	3.0%	3.1%
28	1.0%	2.0%	2.6%	2.7%	2.8%	2.9%	3.0%	3.1%	3.2%	3.3%
29	.0%	1.0%	2.8%	2.9%	3.0%	3.1%	3.2%	3.3%	3.4%	3.5%
30	-1.0%	.0%	3.0%	3.1%	3.2%	3.3%	3.4%	3.5%	3.6%	3.7%
31	-2.0%	-1.0%	3.1%	3.2%	3.3%	3.4%	3.5%	3.6%	3.7%	3.8%
32	-3.0%	-2.0%	3.2%	3.3%	3.4%	3.5%	3.6%	3.7%	3.8%	3.9%
33	-4.0%	-3.0%	3.3%	3.4%	3.5%	3.6%	3.7%	3.8%	3.9%	4.0%
34	-5.0%	-4.0%	3.4%	3.5%	3.6%	3.7%	3.8%	3.9%	4.0%	4.1%
35	-6.0%	-5.0%	3.5%	3.6%	3.7%	3.8%	3.9%	4.0%	4.1%	4.2%
36	-7.0%	-6.0%	3.6%	3.7%	3.8%	3.9%	4.0%	4.1%	4.2%	4.3%
37	-8.0%	-7.0%	3.7%	3.8%	3.9%	4.0%	4.1%	4.2%	4.3%	4.4%
38	-9.0%	-8.0%	3.8%	3.9%	4.0%	4.1%	4.2%	4.3%	4.4%	4.5%
39	-10.0%	-9.0%	4.0%	4.1%	4.2%	4.3%	4.4%	4.5%	4.6%	4.7%
40	-11.0%	-10.0%	4.2%	4.3%	4.4%	4.5%	4.6%	4.7%	4.8%	4.9%
41	-12.0%	-11.0%	4.4%	4.5%	4.6%	4.7%	4.8%	4.9%	5.0%	5.1%
42	under	-12.0%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%

43

EMPLOYER'S CONTRIBUTION RATE IN PERCENT OF WAGES										
Employer										
Reserve Ratio			When Reserve Multiple is:							
Equal to	Less	1.39-	1.25-	1.11-	.97-	.83-	.68-	.45-	under	
or	more than	1.52	1.38	1.24	1.10	.96	.82	.67	.45	
Column A			Schedules							
			I	J	K	L	M	N	O	P
10	19.0%	and over	1.3%	1.4%	1.5%	1.6%	1.7%	1.8%	1.9%	2.4%
11	18.0%	19.0%	1.4%	1.5%	1.6%	1.7%	1.8%	1.9%	2.0%	2.5%
12	17.0%	18.0%	1.5%	1.6%	1.7%	1.8%	1.9%	2.0%	2.1%	2.6%
13	16.0%	17.0%	1.6%	1.7%	1.8%	1.9%	2.0%	2.1%	2.2%	2.7%
14	15.0%	16.0%	1.7%	1.8%	1.9%	2.0%	2.1%	2.2%	2.3%	2.8%
15	14.0%	15.0%	1.8%	1.9%	2.0%	2.1%	2.2%	2.3%	2.4%	2.9%
16	13.0%	14.0%	1.9%	2.0%	2.1%	2.2%	2.3%	2.4%	2.5%	3.0%
17	12.0%	13.0%	2.0%	2.1%	2.2%	2.3%	2.4%	2.5%	2.6%	3.1%
18	11.0%	12.0%	2.1%	2.2%	2.3%	2.4%	2.5%	2.6%	2.7%	3.2%
19	10.0%	11.0%	2.2%	2.3%	2.4%	2.5%	2.5%	2.7%	2.8%	3.3%
20	9.0%	10.0%	2.3%	2.4%	2.5%	2.6%	2.7%	2.8%	2.9%	3.4%
21	8.0%	9.0%	2.4%	2.5%	2.6%	2.7%	2.8%	2.9%	3.0%	3.5%
22	7.0%	8.0%	2.5%	2.6%	2.7%	2.8%	2.9%	3.0%	3.1%	3.6%
23	6.0%	7.0%	2.6%	2.7%	2.8%	2.9%	3.0%	3.1%	3.2%	3.7%
24	5.0%	6.0%	2.7%	2.8%	2.9%	3.0%	3.1%	3.2%	3.3%	3.8%
25	4.0%	5.0%	2.8%	2.9%	3.0%	3.1%	3.2%	3.3%	3.4%	3.9%
26	3.0%	4.0%	3.0%	3.1%	3.2%	3.3%	3.4%	3.5%	3.6%	4.1%
27	2.0%	3.0%	3.2%	3.3%	3.4%	3.5%	3.6%	3.7%	3.8%	4.3%
28	1.0%	2.0%	3.4%	3.5%	3.6%	3.7%	3.8%	3.9%	4.0%	4.5%
29	.0%	1.0%	3.6%	3.7%	3.8%	3.9%	4.0%	4.1%	4.2%	4.7%
30	-1.0%	.0%	3.8%	3.9%	4.0%	4.1%	4.2%	4.3%	4.4%	4.9%
31	-2.0%	-1.0%	3.9%	4.0%	4.1%	4.2%	4.3%	4.4%	4.5%	5.0%
32	-3.0%	-2.0%	4.0%	4.1%	4.2%	4.3%	4.4%	4.5%	4.6%	5.1%
33	-4.0%	-3.0%	4.1%	4.2%	4.3%	4.4%	4.5%	4.6%	4.7%	5.2%
34	-5.0%	-4.0%	4.2%	4.3%	4.4%	4.5%	4.6%	4.7%	4.8%	5.3%
35	-6.0%	-5.0%	4.3%	4.4%	4.5%	4.6%	4.7%	4.8%	4.9%	5.4%
36	-7.0%	-6.0%	4.4%	4.5%	4.6%	4.7%	4.8%	4.9%	5.0%	5.5%
37	-8.0%	-7.0%	4.5%	4.6%	4.7%	4.8%	4.9%	5.0%	5.1%	5.6%
38	-9.0%	-8.0%	4.6%	4.7%	4.8%	4.9%	5.0%	5.1%	5.2%	5.7%
39	-10.0%	-9.0%	4.8%	4.9%	5.0%	5.1%	5.2%	5.3%	5.4%	5.9%
40	-11.0%	-10.0%	5.0%	5.1%	5.2%	5.3%	5.4%	5.5%	5.6%	6.1%
41	-12.0%	-11.0%	5.2%	5.3%	5.4%	5.5%	5.6%	5.7%	5.8%	6.3%
42	under	-12.0%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%

43 **Sec. CCCCC-5. 26 MRSA §1221, sub-§4-A, ¶B,** as amended by PL 2007, c.
44 352, Pt. A, §2, is further amended to read:

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1 B. Subject to paragraph A, an employer's contribution rate for the 12-month period
2 commencing January 1st of each year is based upon the employer's experience rating
3 record and determined from the employer's reserve ratio. The employer's reserve
4 ratio is the percent obtained by dividing the amount, if any, by which the employer's
5 contributions, credited from the time the employer first or most recently became an
6 employer, whichever date is later, up to and including June 30th of the preceding
7 year, including any part of the employer's contributions due for that year paid on or
8 before July 31st of that year, exceed the employer's benefits charged during the same
9 period, by the employer's average annual payroll for the period of 36 consecutive
10 months ending June 30th of the preceding year. The employer's contribution rate is
11 determined under subparagraphs (1) to (8).

12 (1) The commissioner shall prepare a schedule listing all employers for whom a
13 reserve ratio has been computed pursuant to this paragraph, in the order of their
14 reserve ratios, beginning with the highest ratio. For each employer, the schedule
15 must show:

16 (a) The amount of the employer's reserve ratio;

17 (b) The amount of the employer's annual taxable payroll; and

18 (c) A cumulative total consisting of the amount of the employer's annual
19 taxable payroll plus the amount of the annual taxable payrolls of all other
20 employers preceding the employer on the list.

21 (2) The commissioner shall segregate employers into contribution categories in
22 accordance with the cumulative totals under subparagraph (1), division (c). The
23 contribution category is determined by the cumulative payroll percentage limits
24 in column B. Each contribution category is identified by the contribution
25 category number in column A that is opposite the figures in column B, which
26 represent the percentage limits of each contribution category. If an employer's
27 taxable payroll falls in more than one contribution category, the employer must
28 be assigned to the lower-numbered contribution category, except that an
29 employer may not be assigned to a higher contribution category than is assigned
30 any other employer with the same reserve ratio.

31

32	A	B		C	D	E
33	Contribution	% of Taxable Payrolls		Experience	Phase-in	Phase-in
34	Category	From	To	Factors	Experience	Experience
35					Factors 2002	Factors 2000
36					and 2003	and 2001
37	1	00.00	05.00	.30	.38750	.4750
38	2	05.01	10.00	.35	.43125	.5125
39	3	10.01	15.00	.40	.47500	.5500
40	4	15.01	20.00	.45	.51875	.5875
41	5	20.01	25.00	.50	.56250	.6250
42	6	25.01	30.00	.55	.60625	.6625
43	7	30.01	35.00	.60	.65000	.7000

1	8	35.01	40.00	.65	.69375	.7375
2	9	40.01	45.00	.70	.73750	.7750
3	10	45.01	50.00	.75	.78125	.8125
4	11	50.01	55.00	.80	.82500	.8500
5	12	55.01	60.00	.90	.91250	.9250
6	13	60.01	65.00	1.00	1.00000	1.0000
7	14	65.01	70.00	1.10	1.08750	1.0750
8	15	70.01	75.00	1.25	1.21875	1.1875
9	16	75.01	80.00	1.40	1.35000	1.3000
10	17	80.01	85.00	1.60	1.52500	1.4500
11	18	85.01	90.00	1.90	1.78750	1.6750
12	19	90.01	95.00	2.20	2.05000	1.9000
13	20	95.01	100.00	2.60	2.40000	2.2000

14 (3-A) Beginning January 1, 2008, the commissioner shall compute a reserve
 15 multiple to determine the schedule and planned yield in effect for a rate year. The
 16 reserve multiple is determined by dividing the fund reserve ratio by the average
 17 benefit cost rate. The determination date is October 31st of each calendar year.
 18 The schedule and planned yield that apply for the 12-month period commencing
 19 on January 1, 2008 and every January 1st thereafter are shown on the line of the
 20 following table that corresponds with the applicable reserve multiple in column
 21 A.

22	A	B	C
23	Reserve	Schedule	Planned
24	Multiple		Yield
25	Over 1.58	A	0.6%
26	1.50 - 1.57	B	0.7%
27	1.42 - 1.49	C	0.8%
28	1.33 - 1.41	D	0.9%
29	1.25 - 1.32	E	1.0%
30	.50 - 1.24	F	1.1%
31	.25 - .49	G	1.2%
32	Under .25	H	1.3%

33 (4) The commissioner shall compute the predetermined yield by multiplying the
 34 ratio of total wages to taxable wages for the preceding calendar year by the
 35 planned yield.

36 (5) The commissioner shall determine the contribution rates effective for a rate
 37 year by multiplying the predetermined yield by the experience factors for each
 38 contribution category. Contribution category 20 in the table in subparagraph (2)
 39 must be assigned a contribution rate of at least 5.4%. The employer's experience
 40 factor is the percentage shown in column C in the table in subparagraph (2) that
 41 corresponds with the employer's contribution category in column A, except that
 42 the experience factors in column E must be used to determine the contribution
 43 rates for rate years 2000 and 2001 and those in column D must be used for rate

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1 years 2002 and 2003. Beginning January 1, 2018, for rate years when schedule A
2 is in effect as determined in subparagraph (3-A), the experience factor in
3 subparagraph (2) for contribution category 1 is assigned an experience factor of
4 0.00 in column C.

5 (6) If, subsequent to the assignment of contribution rates for a rate year, the
6 reserve ratio of an employer is recomputed and changed, the employer must be
7 placed in the position on the schedule prepared pursuant to subparagraph (1) that
8 the employer would have occupied had the corrected reserve ratio been shown on
9 the schedule. The altered position on the schedule does not affect the position of
10 any other employer.

11 (7) In computing the contribution rates, only the wages reported by employers
12 liable for payment of contributions into the fund and net benefits paid that are
13 charged to an employer's experience rating record or to the fund are considered in
14 the computation of the average benefit cost rate and the ratio of total wages to
15 taxable wages.

16 (8) Beginning January 1, 2008, all contribution rates must be reduced by the
17 Competitive Skills Scholarship Fund predetermined yield as defined in section
18 1166, subsection 1, paragraph C, except that contribution category 20 under this
19 paragraph may not be reduced below 5.4%.

20 **PART DDDDD**

21 **Sec. DDDDD-1. Commissioner of Labor; position review after**
22 **reorganization.** The Commissioner of Labor shall recommend positions to be
23 eliminated pursuant to reorganizations within the Employment Security Services program
24 and the Employment Services Activity program and shall submit a report identifying the
25 positions recommended to be eliminated to the joint standing committee of the
26 Legislature having jurisdiction over labor matters by March 1, 2019. The joint standing
27 committee of the Legislature having jurisdiction over labor matters may report out
28 legislation to the First Regular Session of the 129th Legislature implementing the
29 recommendations.

30 **PART EEEEE**

31 **Sec. EEEEE-1. 12 MRSA §6304-A** is enacted to read:

32 **§6304-A. Coastal Fisheries, Research Management and Opportunity Fund**

33 The Coastal Fisheries, Research Management and Opportunity Fund, referred to in
34 this section as "the fund," is established within the department. For each license or permit
35 issued under this Part, 30% of the fee charged must be deposited into the fund. The fund
36 must be used to fund scientific research, management or enforcement activities related to
37 marine resources. Unexpended balances in the fund at the end of a fiscal year do not
38 lapse but must be carried forward to the next fiscal year. Any interest earned by the fund
39 must be credited to the fund.

1 **Sec. EEEEE-2. 12 MRSA §6421, sub-§7-A**, as amended by PL 2009, c. 213,
2 Pt. G, §2, is repealed.

3 **Sec. EEEEE-3. 12 MRSA §6421, sub-§§7-B and 7-C** are enacted to read:

4 **7-B. License fee.** The fee for a lobster and crab fishing license is:

5 A. For a resident Class I license for applicants under 18 years of age, \$65;

6 B. For a resident Class I license for applicants 18 years of age or older and under 70
7 years of age, \$125.75;

8 C. For a resident Class I license for applicants 70 years of age or older, \$61;

9 D. For a nonresident Class I license for applicants under 18 years of age, \$357;

10 E. For a nonresident Class I license for applicants 18 years of age or older, \$730.75;

11 F. For a resident Class II license for applicants under 70 years of age, \$252.50;

12 G. For a nonresident Class II license, \$1,467.50;

13 H. For a resident Class II license for applicants 70 years of age or older, \$126;

14 I. For a resident Class III license for applicants under 70 years of age, \$377.25;

15 J. For a resident Class III license for applicants 70 years of age or older, \$183;

16 K. For a nonresident Class III license, \$2,189.25;

17 L. For a resident apprentice lobster and crab fishing license for applicants under 18
18 years of age, \$60;

19 M. For a resident apprentice lobster and crab fishing license for applicants 18 years
20 of age or older, \$122;

21 N. For a nonresident apprentice lobster and crab fishing license for applicants under
22 18 years of age, \$357;

23 O. For a nonresident apprentice lobster and crab fishing license for applicants 18
24 years of age or older, \$725;

25 P. For a student lobster and crab fishing license, \$60;

26 Q. For a noncommercial lobster and crab fishing license, \$60; and

27 R. For a nonresident lobster and crab landing permit, \$590.25.

28 **7-C. License surcharge.** In addition to the license fee established in subsection 7-B,
29 the commissioner shall assess a surcharge on each license issued under this section as
30 follows:

31 A. For a resident Class I license for applicants under 18 years of age, resident Class I
32 license for applicants 70 years of age or older, resident apprentice license for
33 applicants under 18 years of age, resident apprentice license for applicants 70 years
34 of age or older, student lobster and crab fishing license or noncommercial lobster and
35 crab fishing license, \$5;

1 B. For a resident Class I license, resident Class II license for applicants 70 years of
2 age or older or resident apprentice license for applicants 70 years of age or older,
3 \$10;

4 C. For a resident Class II license or resident Class III license for applicants 70 years
5 of age or older, \$20;

6 D. For a resident Class III license, nonresident Class I license for applicants under 18
7 years of age or a nonresident apprentice license for applicants under 18 years of age,
8 \$30;

9 E. For a nonresident Class I license or nonresident apprentice license for applicants
10 18 years of age or older, \$60;

11 F. For a nonresident Class II license, \$120; and

12 G. For a nonresident Class III license, \$180.

13 The surcharge fees collected under this subsection must be deposited in the Lobster Fund
14 established under section 6451.

15 **Sec. EEEEE-4. 12 MRSA §6421, sub-§8,** as amended by PL 2009, c. 213, Pt.
16 G, §3, is repealed.

17 **Sec. EEEEE-5. 12 MRSA §6451, sub-§1,** as amended by PL 2009, c. 561, §18,
18 is repealed.

19 **Sec. EEEEE-6. 12 MRSA §6451, sub-§1-A** is enacted to read:

20 **1-A. Lobster Fund established.** The Lobster Fund is established within the
21 department. The Lobster Fund receives surcharge fees collected pursuant to section
22 6421, subsection 7-C. Funds deposited in the Lobster Fund must be used for the purposes
23 of lobster biology research, propagation of lobsters by liberating seed lobsters and female
24 lobsters in the State's coastal waters and establishing and supporting lobster hatcheries.

25 **Sec. EEEEE-7. 12 MRSA §6505-A, sub-§4,** as amended by PL 2017, c. 250,
26 §7, is repealed.

27 **Sec. EEEEE-8. 12 MRSA §6505-A, sub-§§4-A and 4-B** are enacted to read:

28 **4-A. License fee.** Fees for elver fishing licenses are:

29 A. For a resident elver fishing license for one device, \$55;

30 B. For a resident elver fishing license for 2 devices, \$63;

31 C. For a nonresident elver fishing license for one device, \$392;

32 D. For a nonresident elver fishing license for 2 devices, \$400;

33 E. For a resident elver fishing license with crew for one device, \$105;

34 F. For a resident elver fishing license with crew for 2 devices, \$113;

35 G. For a nonresident elver fishing license with crew for one device, \$1,126; and

36 H. For a nonresident elver fishing license with crew for 2 devices, \$1,134.

1 **4-B. License surcharge.** In addition to the license fee established in subsection 4-A,
2 the commissioner shall assess a surcharge on each license issued under this section as
3 follows:

4 A. For an elver fishing license issued under subsection 4-A, paragraphs A to D,
5 \$150; and

6 B. For an elver fishing license issued under subsection 4-A, paragraphs E to H, \$300.

7 The surcharge fees collected under this subsection must be deposited in the Eel and Elver
8 Management Fund established under section 6505-D.

9 **Sec. EEEEE-9. 12 MRSA §6505-B, sub-§1, ¶A,** as amended by PL 2009, c.
10 213, Pt. G, §7, is further amended to read:

11 A. ~~Fifty-eight~~ Fifty dollars per net or trap for the use of an elver fyke net or Sheldon
12 eel trap, except that the fee under this paragraph does not apply to an elver fyke net or
13 Sheldon eel trap a person utilizes pursuant to section 6505-A, subsection 5.

14 **Sec. EEEEE-10. 12 MRSA §6505-B, sub-§3,** as amended by PL 2009, c. 213,
15 Pt. G, §8, is further amended to read:

16 **3. Dip net fee.** A person may not utilize a dip net to fish for or take elvers without
17 paying a fee of ~~\$58~~ \$50 per dip net annually.

18 This subsection does not apply to a dip net a person utilizes pursuant to section 6505-A,
19 subsection 5.

20 **Sec. EEEEE-11. 12 MRSA §6505-B, sub-§5,** as amended by PL 2009, c. 213,
21 Pt. G, §9, is further amended to read:

22 **5. Disposition of fees.** Fees collected under this section accrue to the Eel and Elver
23 Management Fund established in section 6505-D ~~as follows:~~

24 ~~A. Fifty dollars per net or trap for the use of an elver fyke net or Sheldon eel trap;~~
25 ~~and~~

26 ~~B. Fifty dollars per dip net.~~

27 **Sec. EEEEE-12. 12 MRSA §6505-C, sub-§4,** as amended by PL 2009, c. 213,
28 Pt. G, §10, is further amended to read:

29 **4. License fees.** The fee for an eel harvesting license is ~~\$125~~ \$50.

30 **Sec. EEEEE-13. 12 MRSA §6505-C, sub-§4-A** is enacted to read:

31 **4-A. License surcharge.** In addition to the license fee established in subsection 4,
32 the commissioner shall assess a \$75 surcharge on each license issued under this section.
33 The surcharge fees collected under this subsection must be deposited in the Eel and Elver
34 Management Fund established under section 6505-D.

35 **Sec. EEEEE-14. 12 MRSA §6601, sub-§5,** as amended by PL 2009, c. 213, Pt.
36 G, §13, is further amended to read:

37 **5. License fee.** Except as provided in subsection 5-A, the fee for a commercial
38 shellfish license is ~~\$133~~ \$58.25.

1 **Sec. EEEEE-15. 12 MRSA §6601, sub-§5-A**, as amended by PL 2015, c. 355,
2 §1 and affected by §2, is further amended to read:

3 **5-A. Exception.** The fee for a commercial shellfish license for applicants 70 years
4 of age or older and applicants under 18 years of age is \$67, which must be deposited in
5 the Shellfish Fund established under section 6651.

6 **Sec. EEEEE-16. 12 MRSA §6651, sub-§1**, as amended by PL 2011, c. 598,
7 §§28 and 29, is further amended to read:

8 **1. Surcharge fees to be paid into fund.** ~~Fees from~~ In addition to the applicable
9 license fees for shellfish licenses, mussel hand-raking and boat licenses, shellfish
10 transportation licenses and wholesale seafood licenses, the commissioner shall assess the
11 following surcharge fees, which must be ~~paid~~ deposited into the Shellfish Fund ~~as~~
12 ~~follows:~~

13 A. Seventy-four dollars and seventy-five cents ~~from~~ for a commercial shellfish
14 license;

15 B. One hundred forty-nine dollars and fifty cents ~~from~~ for a mussel boat license;

16 C. Seventy-four dollars and seventy-five cents ~~from~~ for a mussel hand-raking
17 license;

18 D. Two hundred ninety-nine dollars ~~from~~ for a shellfish transportation license;

19 E. Ninety-seven dollars and fifty cents ~~from~~ for a shellfish transportation
20 supplemental license;

21 F. Two hundred fifty dollars and twenty-five cents ~~from~~ for a wholesale seafood
22 license;

23 G. Forty-eight dollars and seventy-five cents ~~from~~ for a wholesale seafood
24 supplemental license; and

25 H. Twenty-eight dollars ~~from~~ for an enhanced retail certificate.

26 The Shellfish Fund may receive any other money, including any other gift, grant or other
27 source of revenue.

28 **Sec. EEEEE-17. 12 MRSA §6745, sub-§5**, as amended by PL 2009, c. 213, Pt.
29 G, §21, is further amended to read:

30 **5. License fee.** The fee for a hand-raking mussel license is ~~\$133~~ \$58.25.

31 **Sec. EEEEE-18. 12 MRSA §6746, sub-§5**, as amended by PL 2009, c. 213, Pt.
32 G, §22, is further amended to read:

33 **5. License fee.** The fee for a mussel boat license is ~~\$265~~ \$115.50.

34 **Sec. EEEEE-19. 12 MRSA §6751, sub-§4**, as amended by PL 2009, c. 213, Pt.
35 G, §26, is further amended to read:

36 **4. License fee.** The fee for a marine worm digger's license is ~~\$50~~ \$7.

1 **Sec. EEEEE-20. 12 MRSA §6791, sub-§1**, as amended by PL 2009, c. 213, Pt.
2 G, §27, is further amended to read:

3 **1. Surcharge fees to be paid into fund.** ~~Revenues from marine worm licenses must~~
4 ~~be paid~~ In addition to the applicable license fees for marine worm digger's licenses,
5 marine worm dealer's licenses and supplemental marine worm dealer's licenses, the
6 commissioner shall assess the following surcharge fees, which must be deposited into the
7 Marine Worm Fund as follows:

- 8 A. Forty-three dollars ~~from~~ for a marine worm digger's license;
9 B. Fifty-five dollars ~~from~~ for a marine worm dealer's license; and
10 C. Twenty-two dollars ~~from~~ for a supplemental marine worm dealer's license.

11 The fund must be maintained by the commissioner.

12 **Sec. EEEEE-21. 12 MRSA §6803, sub-§3**, as amended by PL 2009, c. 213, Pt.
13 G, §29, is repealed and the following enacted in its place:

14 **3. Permit fees.** The fees for seaweed permits are as follows:

- 15 A. For a resident seaweed permit, \$8;
16 B. For a nonresident seaweed permit, \$30;
17 C. For a resident supplemental seaweed permit, \$4; and
18 D. For a nonresident supplemental seaweed permit, \$8.

19 **Sec. EEEEE-22. 12 MRSA §6803, sub-§4**, as amended by PL 2009, c. 213, Pt.
20 G, §30, is further amended to read:

21 **4. Surcharge fees.** ~~Fees collected under this section accrue to~~ In addition to the
22 permit fees established in subsection 3, the commissioner shall assess a surcharge on each
23 permit issued under this section as follows, which must be deposited in the Seaweed
24 Management Fund established in section 6806 as follows:

- 25 A. Fifty dollars for a resident seaweed permit;
26 B. Two hundred dollars for a nonresident seaweed permit;
27 C. Twenty-five dollars for a resident supplemental seaweed permit; and
28 D. Fifty dollars for a nonresident supplemental seaweed permit.

29 **Sec. EEEEE-23. 12 MRSA §6808, sub-§4**, as amended by PL 2013, c. 492, §9,
30 is repealed.

31 **Sec. EEEEE-24. 12 MRSA §6808, sub-§6**, as amended by PL 2013, c. 492,
32 §10, is further amended to read:

33 **6. License fees.** The fee for a commercial green crab only license is ~~\$40~~ \$2 for a
34 resident license and ~~\$20~~ \$4 for a nonresident license, which authorizes the license holder
35 to engage in the licensed activities under subsection 2.

1 **Sec. EEEEE-25. 12 MRSA §6808, sub-§7**, as amended by PL 2013, c. 492,
2 §11, is further amended to read:

3 **7. Surcharge fees.** ~~Fees for commercial green crab only licenses~~ In addition to the
4 license fees established in subsection 6, the commissioner shall assess a surcharge on
5 each license issued under this section as follows, which must be deposited in the Green
6 Crab Management Fund established in section 6809 as follows:

7 A. Eight dollars for a resident commercial green crab only license; and

8 B. Sixteen dollars for a nonresident commercial green crab only license.

9 **Sec. EEEEE-26. 12 MRSA §6851, sub-§6, ¶¶A and B**, as amended by PL
10 2009, c. 213, Pt. G, §36, are further amended to read:

11 A. ~~Four hundred forty three dollars for~~ For a wholesale seafood license or a
12 wholesale seafood license with a lobster permit, sea urchin buyer's permit, shrimp
13 permit or sea urchin processor's permit, \$192.75; and

14 B. ~~Eighty seven dollars for~~ For each supplemental license, \$38.25.

15 **Sec. EEEEE-27. 12 MRSA §6853, sub-§6**, as amended by PL 2009, c. 213, Pt.
16 G, §39, is further amended to read:

17 **6. License fee.** The fee for a marine worm dealer's license is ~~\$64~~ \$9 and the fee for a
18 supplemental license is ~~\$26~~ \$4.

19 **Sec. EEEEE-28. 12 MRSA §6855, sub-§6**, as amended by PL 2009, c. 213, Pt.
20 G, §41, is further amended to read:

21 **6. Fees.** The fee for a shellfish transportation license is ~~\$529~~ \$230 and the fee for a
22 supplemental license is ~~\$173~~ \$75.50.

23 **Sec. EEEEE-29. 12 MRSA §6864, sub-§4**, as amended by PL 2009, c. 213, Pt.
24 G, §44, is further amended to read:

25 **4. Fee.** The fee for an elver dealer's license is ~~\$1,213~~ \$376 and the fee for each
26 supplemental license is ~~\$63~~ \$52.

27 **Sec. EEEEE-30. 12 MRSA §6864, sub-§5**, as amended by PL 2009, c. 213, Pt.
28 G, §45, is repealed and the following enacted in its place:

29 **5. Surcharge fees.** In addition to the license fees established in subsection 4, the
30 commissioner shall assess a surcharge on each license issued under this section, which
31 must be deposited in the Eel and Elver Management Fund established under section
32 6505-D, as follows:

33 A. For an elver dealer's license, \$837; and

34 B. For a supplemental elver dealer's license, \$11.

35 **Sec. EEEEE-31. Effective date.** Those sections of this Part that repeal the
36 Maine Revised Statutes, Title 12, section 6505-A, subsection 4 and enact Title 12, section
37 6505-A, subsections 4-A and 4-B take effect January 1, 2018.

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PART FFFFF

Sec. FFFFF-1. Rename Board of Registration for Professional Engineers program. Notwithstanding any other provision of law, the Board of Registration for Professional Engineers program within the Department of Professional and Financial Regulation is renamed the State Board of Licensure for Professional Engineers program.

PART GGGGG

This Part left blank intentionally.

PART HHHHH

This Part left blank intentionally.

PART IIIII

Sec. IIIII-1. 8 MRSA §1003, sub-§5 is enacted to read:

5. Additional duties of the director. The director also serves as the director of the Gambling Control Unit, established as a bureau within the Department of Public Safety under Title 25, section 2902, subsection 12. As director of the unit, the director shall administer and enforce the laws governing beano and games of chance under Title 17, chapters 13-A and 62, respectively.

PART JJJJJ

Sec. JJJJJ-1. 17 MRSA §311, as amended by PL 2001, c. 342, §1, is further amended to read:

§311. Definitions

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

1. Beano. "Beano" means a specific kind of group game of chance, regardless of whether such a game is characterized by another name. Wherever the term "beano" is used, the word "bingo" or any other word used to characterize such a game may be interchanged. In "beano," each participant is given or sold one or more tally cards, so-called, each of which contains preprinted numbers or letters and may or may not be arranged in vertical or horizontal rows. The participant covers or marks the numbers or letters as objects similarly numbered or lettered are drawn from a receptacle and the winner or winners are determined by the sequence in which those objects are drawn. The manner in which the winner is determined must be clearly announced or displayed before any game is begun. ~~Until July 1, 1994, a game described in this subsection is "beano" and a licensee may conduct such a game regardless of whether the manner of determining the winner is specifically described as a permissible manner of determining the winner in rules adopted by the Chief of State Police. For the purposes of this chapter, to hold,~~

1 conduct or operate beano includes charging a fee or offering something of value to play
2 in exchange for the opportunity to receive something of value for winning a game.

3 **1-A. Commercial beano hall permit.** "Commercial beano hall permit" means
4 written authority from the ~~Chief of the State Police~~ Gambling Control Unit issued to a
5 permittee who rents or leases premises for profit to a licensee to hold, conduct or operate
6 "beano."

7 **1-B. Chief of State Police.** "Chief of the State Police" or "chief" means the Chief of
8 the State Police or the chief's designee.

9 **2. Equipment.** "Equipment" ~~shall mean~~ means the receptacle and numbered objects
10 to be drawn from it; the master board upon which such objects are placed as drawn; the
11 tally cards or sheets bearing such numbers to be covered and the objects used to cover
12 them; the boards or signs, however operated, used to display the numbers as they are
13 drawn; public address systems; and any other articles essential to the operation, conduct
14 and playing of "Beano."

15 **2-A. Director.** "Director" means the Executive Director of the Gambling Control
16 Board and the Gambling Control Unit.

17 **2-B. Gambling Control Unit.** "Gambling Control Unit" or "unit" means the bureau
18 within the Department of Public Safety under Title 25, section 2902, subsection 12 or an
19 authorized representative of the Gambling Control Unit.

20 **3. License.** "License" ~~shall mean that~~ means written authority from the ~~Chief of the~~
21 ~~State Police~~ Gambling Control Unit to hold, conduct or operate ~~the amusement~~
22 ~~commonly known as "Beano" for the entertainment of the public within the State of~~
23 ~~Maine. A location permit must accompany the license to be valid.~~

24 **4. Licensee.** "Licensee" ~~shall mean~~ means any organization ~~which, including a~~
25 federally recognized Indian tribe in the State, that has been granted a license by the ~~Chief~~
26 ~~of the State Police~~ Gambling Control Unit to hold, conduct or operate "Beano" or
27 "Bingo."

28 **5. Location permit.** "Location permit" ~~shall mean~~ means that card issued by the
29 ~~Chief of the State Police~~ Gambling Control Unit, describing the premises or area in which
30 "Beano" may be conducted. Such location permit must be accompanied by a license.
31 Only such locations expressly described in the location permit ~~shall be~~ are used for the
32 conduct of any game.

33 **6. Organization.** "Organization" ~~shall mean~~ means any firm, association or
34 corporation authorized to conduct "Beano" in accordance with this chapter.

35 **7. Period.** "Period" ~~shall mean~~ means the number of calendar weeks authorized by a
36 single license for the operation of "Beano" or "Bingo."

37 **7-A. Permittee.** "Permittee" means an individual, corporation, partnership or
38 unincorporated association that rents or leases a building or facilities for profit to a
39 licensee to hold, conduct or operate "beano."

1 ~~7-B. Wild number beano.~~ "~~Wild number beano~~" means a beano occasion, game or
2 series of beano games in which a number is picked or denoted as a wild number that may
3 be used to fill any number or letter on a beano card.

4 ~~8. Winner take all round.~~ "~~Winner take all round~~" means a beano game or series
5 of beano games in which all the proceeds from the sale of the cards for that round are
6 paid to participants as prizes during that round.

7 9. Registrant. "Registrant" means a person or organization registered with the
8 Gambling Control Unit to hold, conduct or operate beano games for which a license is not
9 required.

10 **Sec. JJJJJ-2. 17 MRSA §312, sub-§1,** as enacted by PL 2003, c. 452, Pt. I, §2
11 and affected by Pt. X, §2, is amended to read:

12 **1. License or registration required; restricted hours.** A person, firm, association
13 or corporation may not hold, conduct or operate ~~the amusement commonly known as~~
14 "beano" or "bingo" for the entertainment of the public within the State unless that person,
15 firm, association or corporation has ~~obtained a license from~~ submitted a registration that
16 was subsequently accepted by the Chief of the State Police Gambling Control Unit. A
17 person may not conduct high-stakes beano under section 314-A without a license issued
18 by the Gambling Control Unit. A registration or license to conduct beano under this
19 chapter may not be assigned or transferred.

20 **Sec. JJJJJ-3. 17 MRSA §312, sub-§3,** as enacted by PL 2003, c. 452, Pt. I, §2
21 and affected by Pt. X, §2, is repealed.

22 **Sec. JJJJJ-4. 17 MRSA §313,** as enacted by PL 1975, c. 307, §2, is amended to
23 read:

24 **§313. Registration**

25 ~~Any~~ Except for high-stakes beano under section 314-A, and except as provided in
26 section 313-D, a person or organization desiring that wishes to conduct such an
27 amusement beano shall apply to register with the Chief of the State Police for a license
28 Gambling Control Unit pursuant to the provisions set forth in this section. The application
29 shall registration must be on forms provided as determined by the Chief of the State
30 Police, shall director. A registration must be signed by the person or a duly authorized
31 officer of the organization to be licensed registered, shall must contain the full name and
32 address of the person or organization and the location where it is desired to will conduct
33 the amusement beano and shall must bear the consent of the municipal officers of the
34 town or city in which it is proposed to operate such amusement beano.

35 **Sec. JJJJJ-5. 17 MRSA §313-A,** as amended by PL 1989, c. 825, §1, is repealed.

36 **Sec. JJJJJ-6. 17 MRSA §313-B,** as enacted by PL 2017, c. 47, §1, is repealed.

37 **Sec. JJJJJ-7. 17 MRSA §§313-C, 313-D and 313-E** are enacted to read:

1 **§313-C. Organizations eligible for registration; fees**

2 **1. Registration eligibility.** The Gambling Control Unit may accept registrations
3 from the following organizations to conduct beano to be conducted by duly authorized
4 members for the exclusive benefit of the organization:

5 A. A volunteer fire department;

6 B. An agricultural fair association;

7 C. A bona fide nonprofit, charitable, educational, political, civic, recreational,
8 fraternal, patriotic, religious or veterans organization that has been in existence and
9 founded, chartered or organized in the State for at least 2 years prior to its
10 registration; and

11 D. An auxiliary organization associated with an organization, department or
12 association described in this subsection that has been in existence for at least 2 years
13 prior to submitting a registration to conduct beano to the Gambling Control Unit.

14 The Gambling Control Unit may accept a registration submitted by an organization
15 described in paragraph C that has been in existence for less than 2 years in the State if the
16 organization has a charter from a national organization.

17 **2. Fees.** Registration fees to conduct beano are as follows.

18 A. For up to a calendar week, the fee is \$12.

19 B. For up to a calendar month, the fee is \$36.

20 C. For up to a calendar year, the fee is \$400.

21 D. The fee for a single game is \$5. An organization is limited to 6 single-game
22 registrations in a calendar year.

23 Registration fees required by this subsection must accompany a registration submitted to
24 the Gambling Control Unit and must be credited to the General Fund.

25 **§313-D. Registration exceptions**

26 Notwithstanding section 312, subsection 1 and section 313-E, and subject to the
27 conditions set out in this section, the following organizations may conduct beano without
28 a license or without registering with the Gambling Control Unit.

29 **1. Senior organizations.** Clubs, groups or organizations composed of individuals at
30 least 90% of whom are 62 years of age or older when beano is conducted for their own
31 entertainment and not for profit.

32 **2. Campgrounds.** A campground licensed under Title 22, section 2492 or a
33 campground operated by the State Government or the Federal Government when:

34 A. Beano is offered exclusively to campground patrons and guests of campground
35 patrons;

36 B. A prize awarded to a winner of a beano game does not exceed a value of \$25 for
37 any one game; and

1 C. Proceeds from fees charged to campground patrons and their guests to participate
2 in a beano game are used only to pay for prizes awarded to players and to cover the
3 actual costs incurred to operate the games.

4 **3. Resort hotels.** A bona fide resort hotel, which includes a full-service hotel facility
5 and offers leisure and recreational activities to its patrons, such as tennis, golf or
6 horseback riding, when:

7 A. Beano is offered exclusively to resort hotel patrons and their guests;

8 B. A prize awarded to a winner of a beano game does not exceed a value of \$25 for
9 any one game; and

10 C. Proceeds from fees charged to resort hotel patrons and their guests to participate
11 in a beano game are used only to pay for prizes awarded to players and to cover the
12 actual costs incurred to operate the games.

13 **4. Schools.** A school for children in kindergarten to grade 8 when:

14 A. Games are offered exclusively to students and faculty of the school and their
15 families;

16 B. A prize awarded to a winner of a beano game does not exceed a value of \$25 for
17 any one game; and

18 C. Proceeds from fees charged to participate in a beano game are used only to pay
19 for prizes awarded to players, to support a parent-teacher organization associated
20 with the school and to cover the actual costs incurred to operate the games.

21 Notwithstanding section 319, persons under the age of 16 may take part in a game of
22 beano conducted under subsection 2, 3 or 4.

23 **§313-E. Prize limits**

24 A single prize awarded for a game of beano may not exceed \$400 in value and the
25 total amount of prizes awarded on any one occasion may not exceed \$1,400 in value
26 except that once per calendar year on one occasion a registrant may award up to \$2,000 in
27 total prizes. This section does not apply to high-stakes beano conducted in accordance
28 with section 314-A.

29 **Sec. JJJJJ-8. 17 MRSA §314,** as amended by PL 2013, c. 305, §1, is repealed.

30 **Sec. JJJJJ-9. 17 MRSA §314-A, sub-§1,** as amended by PL 2009, c. 487, Pt. B,
31 §6, is further amended to read:

32 **1. Eligible organizations.** ~~The Chief of the State Police~~ Gambling Control Unit
33 may issue licenses a license to operate high-stakes beano or high-stakes bingo to a
34 federally recognized Indian tribe upon receipt of an application submitted in a manner
35 prescribed by the director.

36 A. The Chief of the State Police Gambling Control Unit may also issue, to a
37 federally recognized Indian tribe, licenses to sell lucky seven or other similar sealed
38 tickets in accordance with section 324-A.

1 B. In conjunction with the operation of high-stakes beano, federally recognized
2 Indian tribes holding a license under this section may advertise and offer prizes for
3 attendance with a value of up to \$25,000 under the terms prescribed for raffles in
4 section 1837. Any prize awarded under this paragraph may be awarded only on the
5 basis of a ticket of admission to the high-stakes beano game and may only be
6 awarded to a person who holds an admission ticket.

7 The ~~Chief of the State Police~~ Gambling Control Unit may not issue more than one license
8 under this section to a federally recognized Indian tribe for the same period.

9 **Sec. JJJJJ-10. 17 MRSA §314-A, sub-§1-A**, as amended by PL 2009, c. 505,
10 §1, is further amended to read:

11 **1-A. Sealed tickets.** The ~~Chief of the State Police~~ Gambling Control Unit may also
12 ~~issue to any~~ accept a registration from a federally recognized Indian tribe ~~licenses~~
13 licensed under this section to sell lucky seven or other similar sealed tickets in accordance
14 with section 324-A. The licensee may operate a dispenser to sell the lucky seven or other
15 similar tickets. As used in this subsection, "dispenser" means a mechanical or electrical
16 device or machine that, upon the insertion of money, credit or something of value,
17 dispenses printed lucky seven or other similar tickets. The element of chance must be
18 provided by the ticket itself, not by the dispenser. The ~~Chief of the State Police~~
19 Gambling Control Unit may adopt rules to facilitate the use of dispensers. Rules adopted
20 pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375,
21 subchapter 2-A.

22 **Sec. JJJJJ-11. 17 MRSA §314-A, sub-§3**, as repealed and replaced by PL
23 1991, c. 426, §4, is amended to read:

24 **3. Twenty-seven weekends per year.** An organization licensed under this section
25 may operate high-stakes beano games on 27 weekends per year, whether or not
26 consecutive. For purposes of this section, a weekend consists of Saturday and the
27 immediately following Sunday. A high-stakes beano game licensed under this section
28 and canceled for any reason may be rescheduled at any time, as long as 5 days prior
29 notice of the new date is given to the ~~Chief of the State Police~~ Gambling Control Unit.

30 **Sec. JJJJJ-12. 17 MRSA §314-A, sub-§3-B**, as corrected by RR 2015, c. 1,
31 §10, is amended to read:

32 **3-B. Games up to 100 days per year.** An organization licensed under this section
33 other than the Penobscot Nation, the Houlton Band of Maliseet Indians and the Aroostook
34 Band of Micmacs may operate high-stakes beano games up to 100 days per year. A high-
35 stakes beano game licensed under this section and canceled for any reason may be
36 rescheduled at any time, as long as 5 days' prior notice of the new date is given to the
37 ~~Chief of the State Police~~ Gambling Control Unit.

38 **Sec. JJJJJ-13. 17 MRSA §314-A, sub-§8**, as enacted by PL 1991, c. 426, §6, is
39 amended to read:

40 **8. Report.** ~~Beginning January 15, 1992, any~~ A federally recognized Indian tribe
41 licensed to conduct high-stakes beano under this section ~~must~~ shall submit a quarterly
42 report on the operation of high-stakes beano to the joint standing committee of the

1 Legislature having jurisdiction over legal affairs ~~matters~~. The report must include
2 information on the number of persons playing high-stakes beano during the preceding
3 calendar quarter, the funds collected for high-stakes beano, the total amount awarded in
4 prizes, including prizes for attendance and any other information provided to the ~~Bureau~~
5 ~~of State Police~~ Gambling Control Unit regarding the operation of high-stakes beano.

6 **Sec. JJJJJ-14. 17 MRSA §314-B**, as enacted by PL 1987, c. 197, §4, is repealed.

7 **Sec. JJJJJ-15. 17 MRSA §314-C**, as enacted by PL 1999, c. 419, §2, is repealed.

8 **Sec. JJJJJ-16. 17 MRSA §315**, as repealed and replaced by PL 2011, c. 339, §1,
9 is repealed.

10 **Sec. JJJJJ-17. 17 MRSA §315-A**, as enacted by PL 2013, c. 305, §2, is amended
11 to read:

12 **§315-A. Limited dual beano registration**

13 The ~~Chief of the State Police~~ Gambling Control Unit may issue a limited dual beano
14 ~~license registration~~ to 2 organizations eligible for a regular ~~license registration~~ to conduct
15 a game of beano. A limited dual beano ~~license registration~~ permits 2 organizations to
16 conduct beano jointly on the same date and at the same location. An organization may
17 only conduct beano under the authority of a dual ~~license registration~~ on 2 occasions
18 during a calendar year. The following provisions apply to ~~license registration~~ under
19 this section.

20 **1. Application.** The 2 organizations wishing to conduct beano jointly shall submit
21 an application to the ~~Chief of the State Police~~ Gambling Control Unit in a manner
22 prescribed by the ~~chief unit~~.

23 **2. Lead registrant.** One organization must be identified as the lead ~~applicant~~
24 ~~registrant~~ and acknowledge responsibility for any violation of the laws or rules governing
25 beano committed during the conduct of the game.

26 **3. Disposition of revenue.** Revenue received from the conduct of the game must be
27 divided in equal amounts between both organizations. Each organization shall file a
28 disposition of funds report as if that organization had conducted beano independently.

29 **4. Registration fee.** The ~~license registration~~ fee for a limited dual beano license is
30 \$12.

31 **5. Sealed tickets.** A limited dual beano ~~license registration~~ does not authorize the
32 ~~licensed registered~~ organizations to sell sealed tickets jointly.

33 **6. Application of other laws.** Unless otherwise provided by this section, the
34 provisions of this chapter and rules adopted in accordance with this chapter apply to
35 beano games conducted under a limited dual beano ~~license registration~~.

36 **Sec. JJJJJ-18. 17 MRSA §316**, as amended by PL 2001, c. 538, §1, is further
37 amended to read:

1 **§316. Evidence**

2 The ~~Chief of the State Police~~ Gambling Control Unit may require such evidence as
3 the ~~chief unit~~ may determine necessary to satisfy the ~~chief unit~~ that an applicant or
4 organization licensed or registered to conduct beano conforms to the restrictions and
5 other provisions of this chapter. Charters, organizational papers, bylaws or other such
6 written orders of founding that outline or otherwise explain the purpose for which
7 organizations were founded must, upon request, be forwarded to the ~~Chief of the State~~
8 Police Gambling Control Unit. The ~~Chief of the State Police~~ Gambling Control Unit may
9 require such evidence as the ~~chief unit~~ may determine necessary regarding the conduct of
10 beano by a licensee or registrant to determine compliance with this chapter.

11 **Sec. JJJJJ-19. 17 MRSA §317, first ¶**, as amended by PL 2011, c. 301, §1, is
12 further amended to read:

13 The ~~Chief of the State Police~~ Gambling Control Unit may adopt rules, not
14 inconsistent with law, that are necessary for the administration and enforcement of this
15 chapter and for the licensing, registration, conduct and operation of ~~the amusement~~
16 ~~commonly known as "Beano" or "Bingo"~~ and for the permitting and operation of
17 commercial beano halls. The ~~Chief of the State Police~~ Gambling Control Unit may
18 regulate, supervise and exercise general control over the operation of ~~such amusement~~
19 beano and commercial beano halls, including, but not limited to, the payment of prizes
20 and the use of equipment. ~~Any rule adopted by the Chief of the State Police concerning~~
21 ~~the value of prizes that may be awarded must include a provision that no single prize may~~
22 ~~exceed \$400 in value and that no more than \$1,400 in total prizes may be awarded on any~~
23 ~~one occasion except that once per calendar year on one occasion a licensee may award up~~
24 ~~to \$2,000 in total prizes.~~ In establishing such rules, which are routine technical rules
25 pursuant to Title 5, chapter 375, subchapter 2-A, the ~~Chief of the State Police~~ Gambling
26 Control Unit must, in addition to the standards set forth in other provisions of this
27 chapter, use the following standards setting forth conduct, conditions and activity
28 considered undesirable:

29 **Sec. JJJJJ-20. 17 MRSA §317-A**, as amended by PL 2001, c. 342, §2, is further
30 amended to read:

31 **§317-A. Investigations; actions on licenses and registrations**

32 **1. Gambling Control Unit.** The ~~Chief of the State Police~~ Gambling Control Unit
33 may:

34 A. Investigate all aspects of this chapter including the direct and indirect ownership
35 or control of any licenses, registrations or commercial beano hall permits;

36 B. Suspend, revoke or refuse to issue a license or registration, after notice of the
37 opportunity for a hearing, if the applicant, applicant's agent or employee, licensee,
38 registrant or the licensee's or registrant's agent or employee violates a provision of
39 this chapter or Title 17-A, chapter 39 or fails to meet the statutory requirements for
40 licensure or registration pursuant to this chapter;

1 C. Immediately suspend or revoke a license or registration if there is probable cause
2 to believe that the licensee or the licensee's agent or employee or the registrant or the
3 registrant's agent or employee violated a provision of Title 17-A, chapter 39;

4 D. Suspend or revoke a commercial beano hall permit, after notice of the opportunity
5 for hearing, if a permittee or permittee's employee commits murder or a Class A, B or
6 C crime or violates a provision of this chapter or Title 17-A, chapter 15, 29, 37 or 39;

7 E. Immediately suspend or revoke a commercial beano hall permit if there is
8 probable cause to believe that the permittee or the permittee's employee committed
9 murder or a Class A, B or C crime or violated a provision of Title 17-A, chapter 15,
10 29, 37 or 39; and

11 F. Issue a subpoena in the name of the ~~State Police~~ Gambling Control Unit in
12 accordance with Title 5, section 9060, except that this authority applies to any stage
13 of an investigation under this chapter and is not limited to an adjudicatory hearing.
14 This authority may not be used in the absence of reasonable cause to believe a
15 violation has occurred. If a witness refuses to obey a subpoena or to give any
16 evidence relevant to proper inquiry by the ~~chief unit~~, the Attorney General may
17 petition the Superior Court in the county where the refusal occurred to find the
18 witness in contempt. The Attorney General shall cause to be served on that witness
19 an order requiring the witness to appear before the Superior Court to show cause why
20 the witness should not be adjudged in contempt. The court shall, in a summary
21 manner, hear the evidence and, if it is such as to warrant the court in doing so, punish
22 that witness in the same manner and to the same extent as for contempt committed
23 before the Superior Court or with reference to the process of the Superior Court.

24 **2. Action after notice and opportunity for hearing.** ~~The Chief of the State Police~~
25 Gambling Control Unit shall notify the applicant, licensee, registrant or permittee in
26 writing, before a license, registration or permit is denied, suspended or revoked pursuant
27 to subsection 1, paragraph B or D, of the intended denial or commencement date of the
28 suspension or revocation, which may not be made any sooner than 96 hours after the
29 licensee's, registrant's or permittee's receipt of the notice, of the duration of the
30 suspension or revocation and of the right to a hearing pursuant to this subsection. The
31 applicant, licensee, registrant or permittee has the right to request a hearing before the
32 Commissioner of Public Safety or the commissioner's designee. Upon the applicant's,
33 licensee's, registrant's or permittee's request for a hearing, the Commissioner of Public
34 Safety shall provide a hearing. The hearing must comply with the Maine Administrative
35 Procedure Act. The purpose of the hearing is to determine whether a preponderance of
36 the evidence establishes that the applicant, applicant's agent or employee, licensee or
37 licensee's agent or employee or registrant or registrant's agent or employee violated a
38 provision of this chapter or Title 17-A, chapter 39 or the permittee or the permittee's
39 employee committed murder or a Class A, B or C crime or violated a provision of this
40 chapter or Title 17-A, chapter 15, 29, 37 or 39. A request for a hearing may not be made
41 any later than 10 days after the applicant, licensee, registrant or permittee is notified of
42 the proposed denial, suspension or revocation. The suspension or revocation action must
43 be stayed pending the hearing; the hearing may not be held any later than 30 days after
44 the date the ~~commissioner~~ director receives the request unless otherwise agreed by the
45 parties or continued upon request of a party for cause shown.

1 **3. Immediate suspension or revocation.** A licensee whose license or permittee
2 whose permit is immediately suspended or revoked by the ~~Chief of the State Police~~
3 Gambling Control Unit pursuant to subsection 1, paragraph C or E must be notified in
4 writing of the duration of the suspension or revocation and the licensee's or the
5 permittee's right to request a hearing before the Commissioner of Public Safety or the
6 commissioner's designee. Upon the licensee's or permittee's request for a hearing, the
7 Commissioner of Public Safety shall provide a hearing. The hearing must comply with
8 the Maine Administrative Procedure Act. The purpose of the hearing is to determine
9 whether a preponderance of the evidence establishes that the licensee or the licensee's
10 agent or employee or registrant or registrant's agent or employee violated a provision of
11 Title 17-A, chapter 39 or the permittee or the permittee's employee committed murder or
12 a Class A, B or C crime or violated a provision of Title 17-A, chapter 15, 29, 37 or 39. A
13 request for a hearing may not be made any later than 48 hours after the licensee or
14 permittee is notified of the suspension or revocation. A hearing may not be held any later
15 than 10 days after the date the commissioner receives the request.

16 **Sec. JJJJJ-21. 17 MRSA §319**, as enacted by PL 1975, c. 307, §2, is repealed
17 and the following enacted in its place:

18 **§319. Persons under 16 years of age**

19 Persons under 16 years of age are not permitted to take part in the conduct of, nor
20 participate in, the game of "beano" or "bingo," nor may persons under 16 years of age be
21 admitted to the playing area unless accompanied by a parent, guardian or other
22 responsible person.

23 "Beano" or "bingo" games licensed or registered under this chapter may not be
24 conducted unless some person at least 18 years of age, who has been a member in good
25 standing of the licensee or registrant for at least 2 years, exercises exclusive control of
26 each game played.

27 A license or registration for the conduct of "beano" or "bingo" may not be issued to
28 any firm, association, corporation or group composed wholly or primarily of persons
29 under 16 years of age.

30 **Sec. JJJJJ-22. 17 MRSA §320, sub-§§1 and 2**, as enacted by PL 2003, c. 452,
31 Pt. I, §8 and affected by Pt. X, §2, are amended to read:

32 **1. Liquor prohibited.** A licensee or registrant may not conduct "beano" or "bingo"
33 in the same room where liquor is sold, served or consumed during the period of one hour
34 before the conduct of the games.

35 **2. Disorderly persons prohibited.** A licensee or registrant may not permit a
36 disorderly person to enter or remain within the room or area where "beano" or "bingo"
37 games are being conducted.

38 **Sec. JJJJJ-23. 17 MRSA §322**, as amended by PL 1999, c. 74, §4, is further
39 amended to read:

1 **§322. Reports**

2 The ~~Chief of the State Police~~ Gambling Control Unit shall require from any
3 organization licensed or registered to operate "Beano" or "Bingo" and any individual,
4 corporation, partnership or unincorporated association that has a permit to operate a
5 commercial beano hall whatever reports the ~~chief~~ unit determines necessary for the
6 purpose of the administration and enforcement of this chapter.

7 **Sec. JJJJJ-24. 17 MRSA §323**, as amended by PL 1999, c. 74, §5, is further
8 amended to read:

9 **§323. Access to premises**

10 An organization making application or submitting a registration to the ~~Chief of the~~
11 ~~State Police~~ Gambling Control Unit to conduct or operate "Beano" or "Bingo," an
12 organization licensed under this chapter to operate "Beano" or "Bingo," a commercial
13 beano hall permit applicant or a commercial beano hall permittee shall permit inspection
14 of any equipment, prizes, records or items and materials used or to be used in the conduct
15 or operation of "Beano" or "Bingo" by the ~~Chief of the State Police~~ Gambling Control
16 Unit or the ~~chiefs~~ unit's authorized representative.

17 The licensee, registrant or permittee shall permit at any time an inspector from the
18 Department of Public Safety or the city or town fire inspectors of the municipality in
19 which "Beano" is being conducted to enter and inspect the premises.

20 **Sec. JJJJJ-25. 17 MRSA §324-A, sub-§2, ¶C**, as amended by PL 2007, c. 110,
21 §1, is further amended to read:

22 C. Lucky seven or similar sealed tickets may be sold when that game of chance is
23 ~~licensed by~~ registered with the ~~Chief of the State Police~~ Gambling Control Unit and
24 when a valid license or registration certificate is properly displayed. Notwithstanding
25 the other provisions of this section and section 312, lucky seven games may be
26 conducted during the period beginning 2 hours before and ending 2 hours after a
27 "beano" game.

28 Notwithstanding any other rule, lucky seven or other similar sealed tickets may be
29 sold that have a sale value of \$1 or less, and a person who sells or distributes "beano"
30 cards or materials used to play "beano" prior to the conduct of "beano" as a volunteer,
31 as provided in this section, is permitted to play in the "beano" game.

32 **Sec. JJJJJ-26. 17 MRSA §325**, as repealed and replaced by PL 2003, c. 452, Pt.
33 I, §11 and affected by Pt. X, §2, is amended to read:

34 **§325. Penalties**

35 **1. Violation of chapter or rules; general penalty.** Except as otherwise specifically
36 provided, a person, firm, association or corporation that violates a provision of this
37 chapter or a rule of the ~~Chief of the State Police~~ Gambling Control Unit prescribed by
38 authority of this chapter commits a civil violation for which a fine of not more than
39 \$1,000 may be adjudged.

1 **2. Commercial beano hall violations.** A person, corporation, partnership or
2 unincorporated association that rents or leases a building or facilities to hold, conduct or
3 operate "beano" or "bingo" commits a Class E crime if that person, corporation,
4 partnership or unincorporated association:

5 A. Rents or leases a building or facilities to hold, conduct or operate a "beano" or
6 "bingo" game without a commercial beano hall permit issued by the ~~Chief of the~~
7 ~~State Police~~ Gambling Control Unit; or

8 B. Violates a provision of this chapter or a rule adopted by the ~~Chief of the State~~
9 ~~Police~~ Gambling Control Unit pursuant to this chapter.

10 Violation of this subsection is a strict liability crime as defined in Title 17-A, section 34,
11 subsection 4-A.

12 **Sec. JJJJJ-27. 17 MRSA §326**, as amended by PL 1997, c. 684, §4, is further
13 amended to read:

14 **§326. Proceeds**

15 **1-A. Payment of proceeds.** An organization licensed or registered to operate beano
16 or bingo and Lucky 7 games in conjunction with beano or bingo may use the proceeds or
17 part of the proceeds to:

18 A. Pay salaries, wages or remuneration to any person directly involved in operating
19 beano, bingo or Lucky 7 games;

20 B. Defray the expenses or part of the expenses that further the purpose for which the
21 organization is formed except that proceeds may not be:

22 (1) Used to purchase alcohol or to defray the cost of activities where alcohol is
23 served; or

24 (2) Paid directly to organization members except as specifically allowed in this
25 subsection; and

26 C. Defray the expenses or part of the expenses of a member, auxiliary member,
27 officer or employee of the organization for a serious illness, injury or casualty loss if
28 the licensee makes an application and the application is approved by the ~~licensing~~
29 ~~division within the Bureau of State Police~~ Gambling Control Unit.

30 (1) An application must be made in the form and contain the information the
31 ~~licensing division~~ unit requires.

32 (a) In the case of serious illness or injury, the ~~licensing division~~ unit may
33 require certification by a licensed physician setting out the facts in support of
34 the application.

35 (b) In the case of a casualty loss, the ~~licensing division~~ unit may require
36 statements or reports from a law enforcement agency, rescue or other
37 emergency services personnel or an insurance agency to support the
38 application.

1 (c) The licensing division may deny an application if it appears that the
2 person who would receive the proceeds has adequate means of financial
3 support, including, but not limited to, insurance or workers' compensation
4 benefits.

5 **1-B. Filing.** An organization that chooses to use the proceeds or part of the proceeds
6 as allowed by subsection 1-A must file with the ~~Chief of the State Police~~ Gambling
7 Control Unit, at least quarterly, a form for the disposition of funds prescribed by the
8 ~~Chief of the State Police~~ Gambling Control Unit detailing all payments made. Every
9 statement on the form must be made under oath by an officer of the organization.

10 **2. Rules.** The rules adopted pursuant to section 317 must contain standards
11 governing payments made under this section. Payments under subsection 1-A, paragraph
12 A may not exceed 20% of the revenue generated by the games and the rules must limit
13 payments to reasonable compensation, taking into account the nature of the services
14 rendered, comparable wage rates, the size of the organization and other revenues, the size
15 of the games and the revenue generated by the games. The ~~Chief of the State Police~~
16 Gambling Control Unit may disallow any excessive payment of proceeds, may suspend
17 an organization's license or registration for excessive payment of proceeds and may
18 condition the restoration of an organization's license or registration on the repayment of
19 an excessive payment of proceeds by the organization.

20 **4. Posting.** An organization licensed or registered to operate beano or bingo and
21 Lucky 7 games in conjunction with beano or bingo shall post in a conspicuous place in
22 the room or hall where the licensed game is conducted a sign that states: the net revenue
23 earned from the operation of those games in dollars and cents; the amount of charitable
24 donations from that net revenue in dollars and cents; what percentage in dollars and cents
25 of the net revenue that amount represents in donations to nonprofit activities; and what
26 percentage of the net revenue was distributed from licensed games for the previous
27 calendar year and the current calendar year.

28 **Sec. JJJJ-28. 17 MRSA §327**, as enacted by PL 1997, c. 232, §1, is repealed.

29 **Sec. JJJJ-29. 17 MRSA §328, sub-§§1 to 5**, as enacted by PL 1999, c. 74, §7,
30 are amended to read:

31 **1. Permit required.** An individual, corporation, partnership or unincorporated
32 association may not rent or lease space for profit to a licensee to hold, conduct or operate
33 "Beano" or "Bingo" unless a commercial beano hall permit is obtained from the ~~Chief of~~
34 ~~the State Police~~ Gambling Control Unit.

35 **2. Application.** An individual, corporation, partnership or unincorporated
36 association desiring to rent or lease space for profit for the purpose given in subsection 1
37 shall apply to the ~~Chief of the State Police~~ Gambling Control Unit for a commercial
38 beano hall permit. The application must be on forms provided by the ~~Chief of the State~~
39 ~~Police~~ Gambling Control Unit, must contain the full name and address of the individual
40 or entity seeking to be permitted and the location of the building or facility to be rented or
41 leased. An applicant who is an individual shall list the individual's name and address.
42 An applicant that is a corporation, partnership or unincorporated association shall also list

1 the names and addresses of any owners with a 10% or greater interest in the corporation,
2 partnership or unincorporated association seeking the permit.

3 A. The applicant shall submit 2 fingerprint cards bearing the legible rolled and flat
4 impression of the fingerprints of the owner, if the owner is an individual, of any
5 owner who owns or controls a 50% or greater interest in the corporation, partnership
6 or the unincorporated association, and, of the manager, if the manager is not the
7 owner as previously described, prepared by a state or local public law enforcement
8 agency to be forwarded to the State Bureau of Identification for the purpose of
9 conducting state and national criminal history record checks.

10 **3. Renewal; change of ownership or manager.** A permittee seeking to renew a
11 permit shall submit an application, but is not required to submit additional fingerprint
12 cards. The permittee is required to notify the ~~Chief of the State Police~~ Gambling Control
13 Unit of any change in ownership or management of the commercial beano hall. The
14 ~~Chief of the State Police~~ Gambling Control Unit may require additional information or
15 fingerprint submission subsequent to a change in ownership or management.

16 **4. Use of criminal history record.** The ~~Chief of the State Police~~ Gambling Control
17 Unit may use state and federal criminal history record information for the purpose of
18 screening applicants. The ~~Chief of the State Police~~ Gambling Control Unit may refuse to
19 issue or renew a permit for an individual, corporation, partnership or unincorporated
20 association if an owner or manager has been found guilty of murder or a Class A, B or C
21 crime or a violation of this chapter or Title 17-A, chapter 15, 29, 37 or 39 or a similar law
22 in another state or jurisdiction, unless that conduct is not punishable as a crime under the
23 laws of that state or other jurisdiction in which it occurred.

24 **5. Duration of permit and fee.** The ~~Chief of the State Police~~ Gambling Control
25 Unit may issue a commercial beano hall permit for a calendar year for a fee of \$500.

26 **Sec. JJJJJ-30. 17 MRSA §328, sub-§8,** as enacted by PL 1999, c. 74, §7, is
27 amended to read:

28 **8. Exception.** The requirements of this section do not apply to an agricultural fair
29 association that qualifies for a ~~license~~ registration and operates beano or bingo games
30 pursuant to section ~~314~~ 313.

31 PART KKKKK

32 **Sec. KKKKK-1. 7 MRSA §3972, sub-§4,** as amended by PL 2009, c. 487, Pt.
33 B, §1, is further amended to read:

34 **4. Exception.** Notwithstanding subsection 1, paragraph C, livestock may be raffled
35 by charitable organizations ~~licensed under~~ in accordance with Title 17, section ~~1837,~~
36 ~~subsection 3~~ 1837-A for fund-raising purposes. For the purposes of this section,
37 "charitable organization" has the same meaning as defined in Title 9, section 5003,
38 subsection 1. Proceeds from a raffle under this subsection must be used for charitable
39 purposes.

40 The animal must be awarded in freezer-ready form.

1 **Sec. KKKKK-2. 17 MRSA §314-A, sub-§1, ¶B**, as amended by PL 2009, c.
2 487, Pt. B, §6, is further amended to read:

3 B. In conjunction with the operation of high-stakes beano, federally recognized
4 Indian tribes holding a license under this section may advertise and offer prizes for
5 attendance with a value of up to \$25,000 under the terms prescribed for raffles in
6 section ~~4837~~ 1837-A. Any prize awarded under this paragraph may be awarded only
7 on the basis of a ticket of admission to the high-stakes beano game and may only be
8 awarded to a person who holds an admission ticket.

9 **Sec. KKKKK-3. 17 MRSA §314-A, sub-§2-A**, as amended by PL 2009, c. 487,
10 Pt. B, §7, is further amended to read:

11 **2-A. Attendance prizes.** In conjunction with the operation of high-stakes beano, a
12 federally recognized Indian tribe holding a license under this section may advertise and
13 offer prizes for attendance with a value of up to \$25,000 under the terms prescribed for
14 raffles in section ~~4837~~ 1837-A. A prize awarded under this subsection may be awarded
15 only on the basis of a ticket of admission to the high-stakes beano game and may be
16 awarded only to a person who holds an admission ticket.

17 **Sec. KKKKK-4. 17 MRSA §1831, sub-§1-A** is enacted to read:

18 **1-A. Card game.** "Card game" means a game of chance conducted using one or
19 more decks of cards, such as poker, blackjack or cribbage.

20 **Sec. KKKKK-5. 17 MRSA §1831, sub-§2**, as enacted by PL 2009, c. 487, Pt.
21 A, §2, is repealed.

22 **Sec. KKKKK-6. 17 MRSA §1831, sub-§2-A** is enacted to read:

23 **2-A. Director.** "Director" means the Executive Director of the Gambling Control
24 Unit.

25 **Sec. KKKKK-7. 17 MRSA §1831, sub-§4-A** is enacted to read:

26 **4-A. Gambling Control Unit.** "Gambling Control Unit" or "unit" means the bureau
27 within Department of Public Safety under Title 25, section 2902, subsection 12 or an
28 authorized representative of the Gambling Control Unit.

29 **Sec. KKKKK-8. 17 MRSA §1831, sub-§5**, as amended by PL 2011, c. 420, Pt.
30 A, §11, is further amended to read:

31 **5. Game of chance.** "Game of chance" means a game, contest, scheme or device in
32 which:

33 A. A person stakes or risks something of value for the opportunity to win something
34 of value;

35 B. The rules of operation or play require an event the result of which is determined
36 by chance, outside the control of the contestant or participant; and

37 C. Chance enters as an element that influences the outcome in a manner that cannot
38 be eliminated through the application of skill.

1 For the purposes of this subsection, "an event the result of which is determined by
2 chance" includes but is not limited to a shuffle of a deck of cards, a roll of a die or dice or
3 a random drawing or generation of an object that may include, but is not limited to, a
4 card, a die, a number or simulations of any of these. A shuffle of a deck of cards, a roll of
5 a die, a random drawing or generation of an object or some other event the result of
6 which is determined by chance that is employed to determine impartially the initial order
7 of play in a game, contest, scheme or device does not alone make a game, contest,
8 scheme or device a game of chance. For purposes of this chapter, beano, bingo, ~~a savings~~
9 ~~promotion raffle~~ and table games as defined in Title 8, section 1001, subsection 43-A are
10 not games of chance.

11 **Sec. KKKKK-9. 17 MRSA §1831, sub-§8**, as enacted by PL 2009, c. 487, Pt.
12 A, §2, is amended to read:

13 **8. Licensee.** "Licensee" means a firm, corporation, association or organization
14 licensed by the ~~Chief of the State Police~~ Gambling Control Unit to operate a game of
15 chance.

16 **Sec. KKKKK-10. 17 MRSA §1831, sub-§12**, as enacted by PL 2009, c. 487,
17 Pt. A, §2, is repealed.

18 **Sec. KKKKK-11. 17 MRSA §1831, sub-§13**, as amended by PL 2009, c. 599,
19 §2, is further amended to read:

20 **13. Raffle.** "Raffle" means a game of chance in which:

21 A. A person pays or agrees to pay something of value for a chance, represented and
22 differentiated by a number, to win a prize;

23 B. One or more of the chances is to be designated the winning chance; and

24 C. The winning chance is to be determined as a result of a drawing from a container
25 holding numbers representative of all chances sold.

26 ~~"Raffle" does not include a savings promotion raffle.~~

27 **Sec. KKKKK-12. 17 MRSA §1831, sub-§13-A** is enacted to read:

28 **13-A. Registrant.** "Registrant" means a person or organization registered with the
29 Gambling Control Unit to conduct a game of chance, a raffle or certain tournament
30 games, for which a license is not required under this chapter.

31 **Sec. KKKKK-13. 17 MRSA §1831, sub-§14-A**, as enacted by PL 2009, c. 599,
32 §3, is repealed.

33 **Sec. KKKKK-14. 17 MRSA §1831, sub-§15**, as enacted by PL 2009, c. 487,
34 Pt. A, §2, is repealed and the following enacted in its place:

35 **15. Slot machine.** "Slot machine" has the same meaning as provided under Title 8,
36 section 1001, subsection 39.

37 **Sec. KKKKK-15. 17 MRSA §1832**, as enacted by PL 2009, c. 487, Pt. A, §2, is
38 amended to read:

1 **§1832. Licenses**

2 **1. License or registration required.** ~~Except as provided in section 1833, a~~ A
3 person, firm, corporation, association or organization may not hold, conduct or operate a
4 game of chance without a license issued by ~~or, as applicable, without registering with the~~
5 ~~Chief of the State Police~~ Gambling Control Unit in accordance with this section. A
6 license is not required when a game of chance constitutes social gambling.

7 **2. Eligible organizations; licenses.** ~~Notwithstanding other provisions of law, the~~
8 ~~Chief of the State Police~~ The Gambling Control Unit may issue a license to operate a
9 ~~game of chance card game and certain tournament games~~ to an organization that submits
10 a completed application as described in subsection 5 and has been founded, chartered or
11 organized in this State for a period of not less than 2 consecutive years prior to applying
12 for a license and is:

13 A. An agricultural society;

14 B. A bona fide nonprofit charitable, educational, political, civic, recreational,
15 fraternal, patriotic or religious organization;

16 C. A volunteer fire department; or

17 D. An auxiliary of any of the organizations in paragraphs A to C.

18 **2-A. Registration.** The Gambling Control Unit may accept a registration from an
19 eligible organization described in subsection 2 and other persons as specifically provided
20 under section 1835-A, section 1836, subsection 4-B and section 1837-A to conduct games
21 of chance, raffles and charitable cribbage tournaments. An eligible organization or
22 person seeking to register to conduct a game of chance, raffle or charitable cribbage
23 tournament shall register in the manner prescribed by the Gambling Control Unit and
24 shall maintain records and reports in the same manner as described under section 1839,
25 except that disposition of funds reports are not required to be submitted to the Gambling
26 Control Unit but must be maintained in the same manner as other records.

27 **3. Must be 18 years of age.** ~~The Chief of the State Police~~ Gambling Control Unit
28 may not accept a registration to conduct a game of chance, a raffle or certain tournament
29 games or accept an application from or issue a license for card games and certain
30 tournament games under this section to a person or representative of an eligible
31 organization who is not 18 years of age or older.

32 **4. Municipal approval required.** An eligible organization described in subsection
33 2 applying for a license to conduct a card game of chance and tournament games
34 requiring a license shall obtain written approval from the local governing authority where
35 the game ~~of chance~~ is to be operated or conducted. This written approval must be
36 submitted with the application to the ~~Chief of the State Police~~ Gambling Control Unit as
37 described in subsection 5.

38 **5. Application.** An eligible organization described in subsection 2 ~~wishing~~ seeking
39 to obtain a license to operate or conduct a card game of chance or certain tournament
40 games requiring a license shall submit an application to the ~~Chief of the State Police~~
41 Gambling Control Unit. The application must be in a form provided by the ~~Chief of the~~
42 ~~State Police~~ Gambling Control Unit and must be signed by a duly authorized officer of

1 the eligible organization. The application must include the full name and address of the
2 organization, a full description of the card game of chance or tournament game, the
3 location where the card game or tournament game is to be conducted and any other
4 information determined necessary by the ~~Chief of the State Police~~ Gambling Control Unit
5 for the issuance of a license to operate a card game of chance or certain tournament
6 games, including but not limited to membership lists, bylaws and documentation showing
7 the organization's nonprofit status or charitable designation.

8 **6. Multiple licenses.** The ~~Chief of the State Police~~ Gambling Control Unit may
9 issue more than one license or registration to conduct or operate a game ~~of chance~~
10 governed by this chapter simultaneously to an eligible organization described in
11 subsection 2. Each game ~~of chance~~ governed by this chapter must have a separate
12 license, the nature of which must be specified on the license.

13 **7. Agricultural fairs.** Notwithstanding any provision in this chapter to the contrary,
14 in addition to games of chance, the ~~Chief of the State Police~~ Gambling Control Unit may
15 ~~issue a license~~ accept a registration to conduct or operate games of chance known as
16 "penny falls" or "quarter falls" at any agricultural fair, as long as the net revenue from
17 those games is retained by the ~~licensed~~ registered agricultural society.

18 **8. Electronic video machines.** The ~~Chief of the State Police~~ Gambling Control Unit
19 may issue a ~~game of chance~~ license to operate an electronic video machine to any eligible
20 organization described in subsection 2.

21 A. An electronic video machine licensed under this section may only be operated for
22 the exclusive benefit of the licensee, except that up to 50% of the gross proceeds
23 from the operation of the machine may be paid to the distributor as a rental fee and
24 for service and repair of the machine. Notwithstanding other provisions of this
25 chapter, a licensee may rent an electronic video machine from a distributor.

26 B. No more than 5 electronic video machines may be operated on the licensee's
27 premises. A separate games of chance license is required for the operation of each
28 electronic video machine.

29 C. A licensee may operate an electronic video machine only on the licensee's
30 premises.

31 D. Two or more licensees may not share the use of any premises for the operation of
32 electronic video machines.

33 E. A distributor or employee of the distributor may not be a member of the licensed
34 organization.

35 F. An electronic video machine licensed under this subsection may not be operated
36 in a manner that meets the definition of illegal gambling machine as described in
37 Title 17-A, section 952, subsection 5-A.

38 **Sec. KKKKK-16. 17 MRSA §1834**, as amended by PL 2013, c. 218, §1, is
39 further amended to read:

1 **§1834. Fees**

2 ~~1. Original application fee.~~ The original application for a license to operate a game
3 of chance must be accompanied by a fee of \$7.50. This is not a fee for a license and is not
4 refundable.

5 **2. Operation of games of chance.** Except for electronic video games and games of
6 cards as provided in this section, the registration fee for a license to operate a game of
7 chance is \$15 for each week computed on a Monday to Sunday basis or for a portion of a
8 week. The fee for a license issued for a calendar month is \$60 and the fee for licenses
9 issued for a calendar year is \$700.

10 The ~~Chief of the State Police~~ Gambling Control Unit may issue any combination of
11 weekly or monthly licenses for the operation of games of chance. ~~Except for games of~~
12 ~~cards as provided in subsection 4,~~ licenses Registration to conduct any authorized game
13 of chance may be issued for a period of up to 12 months on one application.

14 **3. Operation of electronic video machines.** The fee for a game of chance license to
15 operate an electronic video machine in accordance with section 1832, subsection 8 is \$15
16 for each week computed on a Monday to Sunday basis or for a portion of a week. The
17 fee for a license issued for a calendar month is \$60.

18 The ~~Chief of the State Police~~ Gambling Control Unit may issue any combination of
19 weekly or monthly licenses for the operation of electronic video machines. A license or
20 combination of licenses to operate an authorized electronic video machine may be issued
21 for a period of up to 12 months.

22 **4. Games of cards.** The fee for a license issued to an organization to operate a game
23 of cards, when the organization charges no more than a \$10 daily entry fee for
24 participation in the games of cards and when no money or valuable thing other than the
25 \$10 daily entry fee is gambled by any person in connection with the game of cards, is \$30
26 for each calendar year or portion of a calendar year. For card games that are played by
27 placing the maximum bet of \$1 per hand or deal, the license fee ~~is the same as provided~~
28 ~~in subsection 2~~ for a calendar month is \$60 and the fee for licenses issued for a calendar
29 year is \$700.

30 **5. Distributors.** The fee for a license issued to a distributor is \$625 for each
31 calendar year or portion of a calendar year.

32 ~~6. Printers.~~ The fee for a license issued to a printer is \$15 for each calendar year or
33 portion of a calendar year.

34 **7. Application.** A license to operate any authorized ~~card game of chance~~ may be
35 issued for a period of up to 12 months on one application. Authority to conduct a game
36 of chance, a raffle or charitable cribbage tournament games pursuant to section 1836,
37 subsection 4-B may be granted for a period of up to 12 months on one registration.

38 All fees required by this section must accompany ~~the~~ a registration or an application
39 for any license issued by authority of this chapter.

40 Fees submitted as license or registration fees must be refunded if the license is not
41 issued or the registration is not accepted. Rebates may not be given for any unused
42 license or registration or portion of an unused license or registration. If any license is

1 suspended or revoked as provided by this chapter, fees paid for that license or registration
2 may not be refunded.

3 **Sec. KKKKK-17. 17 MRSA §1835**, as amended by PL 2013, c. 149, §1 and c.
4 218, §2, is further amended to read:

5 **§1835. Conduct card games**

6 **1. Wagers or entry fees for card games; exceptions.** The following limits apply to
7 ~~games of chance~~ a card game.

8 A. The maximum bet for a licensed ~~game of chance including~~ card ~~games~~ game in
9 which bets are placed per hand or per deal is \$1.

10 B. Licensed card games that award part or all of the entry fees paid to participate in
11 the game as prize money and in which no money or thing of value is wagered except
12 for the entry fee are limited to a \$10 daily entry fee and no more than 60 players at
13 any one time at any one location.

14 C. If the licensee operates card games ~~of chance~~ for less than 3 total days in a
15 calendar year and contributes 100% of the gross revenue from those games ~~of chance~~
16 to charity, the amount wagered must be limited to:

- 17 (1) A \$1 daily entry fee;
18 (2) Fifty cents per game; or
19 (3) Twenty-five cents per card received.

20 Prior to play of the game, the licensee shall determine which of the limits in
21 subparagraphs (1), (2) and (3) is to be used and shall post the limit where the game is
22 conducted.

23 **2. Games conducted by members and bartenders of licensee only.** A card game
24 ~~of chance~~ licensed pursuant to this chapter must be operated and conducted for the
25 exclusive benefit of the licensee and must be operated and conducted only by duly
26 authorized members of the licensee or by persons employed by the licensee as bartenders,
27 except that nonmembers employed by the licensee as bartenders may not operate or
28 conduct any card game ~~of chance~~ permitted under subsection 5, paragraph B. The
29 requirements of this subsection do not apply to any agricultural society licensed to
30 operate a card game ~~of chance~~.

31 **3. Games conducted at agricultural fair by members of the agricultural society**
32 **or a bona fide nonprofit.** ~~Games of chance~~ Card games operated and conducted solely
33 by members of an agricultural society or card games ~~of chance~~ operated and conducted
34 by members of bona fide nonprofit organizations on the grounds of the agricultural
35 society and during the annual fair of the agricultural society may use cash, tickets, tokens
36 or other devices approved by the ~~Chief of the State Police~~ Gambling Control Unit by rule.

37 Notwithstanding any other provision of this section, the tickets, tokens or other devices
38 approved by the ~~Chief of the State Police~~ Gambling Control Unit must be unique to the
39 agricultural society and may be in denominations of 25¢, 50¢ or \$1. The tickets, tokens
40 or devices approved by the ~~Chief of the State Police~~ Gambling Control Unit may be sold

1 and redeemed only by a person who has been a member or active volunteer of the
2 agricultural society for at least 2 fair seasons. The agricultural society has the burden of
3 proof for demonstrating the qualification of members or active volunteers.

4 An agricultural society that uses tokens shall provide records and reports as required by
5 section 1839.

6 **4. Persons under 18 years of age.** ~~Except as provided in this subsection, a A~~
7 ~~licensee, game owner or operator may not permit a person under 18 years of age to take~~
8 ~~part in a card game of chance, and a person under 18 years of age may not sell chances,~~
9 ~~except in relation to charitable, religious or recognized youth associations.~~
10 ~~Notwithstanding any rule to the contrary, upon receiving an application on a form~~
11 ~~provided by the Chief of the State Police and a determination by the chief that a game of~~
12 ~~chance licensed to be conducted at a festival-style event is designed to attract players~~
13 ~~under 18 years of age and awards a nonmonetary prize valued at less than \$10 for every~~
14 ~~chance played, the chief may permit:~~

15 ~~A. Persons under 18 years of age to conduct or operate the game of chance; and~~

16 ~~B. Persons under 18 years of age to play the game of chance without being~~
17 ~~accompanied by an adult.~~

18 ~~Nothing in this subsection permits games of chance to be operated without a license.~~

19 **5. Location.** A license issued pursuant to this section must specify the location
20 where the organization may operate the licensed card game of chance. A licensee may
21 not operate card games of chance in more than one location at the same time.

22 A. An agricultural society or a bona fide nonprofit organization may operate a card
23 game of chance on the grounds of an agricultural society and during the annual fair of
24 the agricultural society.

25 B. No more than one licensee may operate a card game of chance at a time on the
26 same premises. In any room where a licensed card game of chance is being
27 conducted, there must be at least one member of the licensee present in that room for
28 every 2 nonmembers who are present. That member must have been a member of the
29 licensee for at least one year. A member of the licensee, either directly or through
30 another member or guest, may not stake or risk something of value in the licensee's
31 card game of chance unless the member has been a member of the licensee for at
32 least 14 days not including the day of admission into membership.

33 A bona fide nonprofit organization may operate a licensed card game of chance to which
34 the general public has access once every 3 months for a period not to exceed 3
35 consecutive days. The licensed card game of chance may be operated at any location
36 described in the license and may be conducted only by members of the licensee. ~~This~~
37 ~~subsection does not apply to raffles conducted in accordance with section 1837.~~

38 **6. Door prizes.** Distribution of tickets to an event upon which appear details
39 concerning any prize to be given away as a result of a drawing is a game of chance within
40 the meaning of this chapter; a distribution of tickets containing only the words "Door
41 Prize," without further description, is excluded from the provisions of this chapter, as
42 long as no promotional materials or presentations, written or oral, describe the door prize.

1 7. **"Donation" not to provide an exclusion.** The word "donation" printed on a
2 ticket does not exclude the sponsoring organization from complying with this chapter.

3 8. **Wager limit exception.** Notwithstanding subsection 1, an organization that is
4 licensed to conduct games of chance in accordance with this chapter is permitted to
5 accept wagers up to \$50 per hand for a poker run. The organization must inform the
6 ~~Chief of the State Police~~ Gambling Control Unit 30 days in advance of the date when the
7 organization intends to conduct a poker run with an increased wager limit. An
8 organization is limited to 2 poker run events per calendar year in which wagers up to \$50
9 per hand are permitted. For the purposes of this subsection, "poker run" means a game of
10 chance using playing cards that requires a player to travel from one geographic location
11 to another in order to play the game.

12 **Sec. KKKKK-18. 17 MRSA §1835-A** is enacted to read:

13 **§1835-A. Conduct of games of chance**

14 **1. Wagers or entry fees; exceptions.** The following limits apply to games of
15 chance.

16 A. The maximum bet for a licensed game of chance is \$1.

17 B. If the registrant operates games of chance for less than 3 total days in a calendar
18 year and contributes 100% of the gross revenue from those games of chance to
19 charity, the amount wagered must be limited to:

20 (1) A \$1 daily entry fee; or

21 (2) Fifty cents per game.

22 **2. Games conducted by members and bartenders of registrant only.** A game of
23 chance registered pursuant to this chapter must be operated and conducted for the
24 exclusive benefit of the registrant and must be operated and conducted only by duly
25 authorized members of the registrant or by persons employed by the registrant as
26 bartenders, except that nonmembers employed by the registrant as bartenders may not
27 operate or conduct any game of chance permitted under subsection 5, paragraph B. The
28 requirements of this subsection do not apply to any agricultural society registered to
29 operate a game of chance.

30 **3. Games conducted at agricultural fair by members of the agricultural society**
31 **or a bona fide nonprofit.** Games of chance operated and conducted solely by members
32 of an agricultural society or games of chance operated and conducted by members of
33 bona fide nonprofit organizations on the grounds of the agricultural society and during
34 the annual fair of the agricultural society may use cash, tickets, tokens or other devices
35 approved by the Gambling Control Unit by rule.

36 Notwithstanding any other provision of this section, the tickets, tokens or other devices
37 approved by the Gambling Control Unit must be unique to the agricultural society and
38 may be in denominations of 25¢, 50¢ or \$1. The tickets, tokens or devices approved by
39 the Gambling Control Unit may be sold and redeemed only by a person who has been a
40 member or active volunteer of the agricultural society for at least 2 fair seasons. The

1 agricultural society has the burden of proof for demonstrating the qualification of
2 members or active volunteers.

3 An agricultural society that uses tokens shall provide records and reports as required by
4 section 1839.

5 **4. Persons under 18 years of age; exception.** Except as provided in section
6 1837-A, a registrant, game owner or operator may not permit a person under 18 years of
7 age to take part in a game of chance. Notwithstanding any rule to the contrary, upon
8 receiving an application on a form provided by the Gambling Control Unit and a
9 determination by the director that a game of chance licensed to be conducted at a festival-
10 style event is designed to attract players under 18 years of age and awards a nonmonetary
11 prize valued at less than \$10 for every chance played, the Gambling Control Unit may
12 permit:

13 A. Persons under 18 years of age to conduct or operate the game of chance; and

14 B. Persons under 18 years of age to play the game of chance without being
15 accompanied by an adult.

16 Nothing in this subsection permits games of chance to be operated without being
17 registered with the Gambling Control Unit.

18 **5. Location.** A registration for a game of chance must specify the location where the
19 organization may operate the game. A registrant may not operate games of chance in
20 more than one location at the same time.

21 A. An agricultural society or a bona fide nonprofit organization may operate a game
22 of chance on the grounds of an agricultural society and during the annual fair of the
23 agricultural society.

24 B. No more than one registrant may operate a game of chance at a time on the same
25 premises. In any room where a registered game of chance is being conducted, there
26 must be at least one member of the organization registered to conduct games of
27 chance present in that room for every 2 nonmembers who are present. That member
28 must have been a member of the registered organization for at least one year. A
29 member of the organization registered to conduct games of chance, either directly or
30 through another member or guest, may not stake or risk something of value in the
31 registrant's game of chance unless the member has been a member of the organization
32 registered to conduct games of chance for at least 14 days not including the day of
33 admission into membership.

34 A bona fide nonprofit organization may operate a registered game of chance to which the
35 general public has access once every 3 months for a period not to exceed 3 consecutive
36 days. The game of chance may be operated at any location described in the organization's
37 registration and may be conducted only by members of the registrant. This subsection
38 does not apply to raffles conducted in accordance with section 1837-A.

39 **6. Door prizes.** Distribution of tickets to an event upon which appear details
40 concerning any prize to be given away as a result of a drawing is a game of chance within
41 the meaning of this chapter; a distribution of tickets containing only the words "Door

1 Prize," without further description, is excluded from the provisions of this chapter, as
2 long as no promotional materials or presentations, written or oral, describe the door prize.

3 7. "Donation" not to provide an exclusion. The word "donation" printed on a
4 ticket does not exclude the sponsoring organization from complying with this chapter.

5 **Sec. KKKKK-19. 17 MRSA §1836, first ¶**, as amended by PL 2011, c. 325, §1,
6 is further amended to read:

7 The ~~Chief of the State Police~~ Gambling Control Unit may issue a license under this
8 section to an organization eligible to conduct beano games under chapter 13-A and games
9 of chance under this chapter to conduct up to 2 tournament games per month. For
10 purposes of this section, "tournament game" means a game of chance played using a deck
11 of cards with rules similar to poker or other card games.

12 **Sec. KKKKK-20. 17 MRSA §1836, sub-§§1 and 2**, as enacted by PL 2009, c.
13 487, Pt. A, §2, are amended to read:

14 **1. Local governing authority approval.** An organization applying for a tournament
15 game license must first receive approval by the local governing authority where the game
16 is to be conducted. Proof of approval from the local governing authority must be
17 provided to the ~~Chief of the State Police~~ Gambling Control Unit upon application for a
18 tournament game license.

19 **2. License application.** An organization ~~must~~ shall submit a license application to
20 the ~~Chief of the State Police~~ Gambling Control Unit on a form provided by the ~~Chief of~~
21 ~~the State Police~~ Gambling Control Unit. The license application must specify one or
22 more charitable organizations that the proceeds of the tournament game are intended to
23 benefit. For the purposes of this section, "charitable organization" means a person or
24 entity, including a person or entity in a foreign state as defined in Title 14, section 8502,
25 that is or purports to be organized or operated for any charitable purpose or that solicits,
26 accepts or obtains contributions from the public for any charitable, educational, humane
27 or patriotic purpose.

28 **Sec. KKKKK-21. 17 MRSA §1836, sub-§4-A**, as amended by PL 2017, c. 182,
29 §1, is further amended to read:

30 **4-A. Exception for super cribbage tournament.** Notwithstanding any provision of
31 this section to the contrary, the ~~Chief of the State Police~~ Gambling Control Unit may
32 issue up to 15 licenses per year for the conduct of a super cribbage tournament. For the
33 purposes of this subsection, "cribbage" means a card game that uses a board and pegs to
34 keep score and of which the characteristic feature is a crib into which players discard
35 cards from their dealt hand to create a crib of 4 cards unseen by other players that will be
36 ultimately part of the dealer's hand. The license fee for a super cribbage tournament is
37 \$75. A super cribbage tournament must be conducted in the same manner as prescribed
38 for a tournament game by this section except as follows.

39 A. The super cribbage tournament may be conducted by a nationally chartered
40 organization that organizes tournament-style cribbage games and that is exempt from
41 taxation under the United States Internal Revenue Code, Section 501(c)(3) so long as

- 1 the principal organizer has been a member of that organization for a period of not less
2 than 3 years.
- 3 B. The minimum number of players required is 30.
- 4 C. The maximum entry fee allowed is \$100 per player.
- 5 D. The super cribbage tournament need not be held on premises owned by the
6 licensee.
- 7 E. The super cribbage tournament may be conducted over a period of up to 72 hours.
- 8 F. Notwithstanding subsection 2, 50% of the proceeds of the super cribbage
9 tournament after prizes are paid must be paid to a bona fide charitable organization,
10 other than the licensee, listed on the tournament application submitted to the ~~Chief of~~
11 ~~the State Police~~ Gambling Control Unit.

12 **Sec. KKKKK-22. 17 MRSA §1836, sub-§4-B** is enacted to read:

13 **4-B. Charitable cribbage tournament.** The Gambling Control Unit shall accept a
14 registration for a cribbage tournament to be conducted as prescribed by this subsection.
15 For the purposes of this section, "cribbage" means a card game that uses a board and pegs
16 to keep score and of which the characteristic feature is a crib into which players discard
17 cards from their dealt hand to create a crib of 4 cards unseen by other players that will be
18 ultimately part of the dealer's hand. In a cribbage tournament, winners are determined by
19 a process of elimination. A cribbage tournament may extend beyond a calendar day. A
20 person may operate a cribbage tournament as registered by the Gambling Control Unit if
21 the operator:

22 A. Is a restaurant licensed in accordance with Title 22, chapter 562 or a manufacturer
23 licensed under Title 28-A, section 1355-A who offers complimentary samples or
24 samples for a charge to the public at the licensee's manufacturing facility. For the
25 purposes of this subsection, "restaurant" means a reputable place operated by
26 responsible persons of good reputation that is regularly used for the purpose of
27 providing food for the public and that has adequate and sanitary kitchen and dining
28 room equipment and capacity for preparing and serving suitable food for the public;

29 B. Limits play to the location of the licensed establishment and to patrons of the
30 licensed establishment who are 21 years of age or older; and

31 C. Charges an entry fee not to exceed \$25 per person for participation in the cribbage
32 tournament. Notwithstanding section 1838, all entry fees must be awarded as prizes
33 to winners of the tournament for which the entry fees were paid, except that the
34 operator may donate all or a portion of the entry fees to a charitable organization. An
35 operator may not charge a fee except for the entry fee and may not receive any
36 portion of the proceeds from the operation of the cribbage tournament.

37 **Sec. KKKKK-23. 17 MRSA §1836, sub-§6**, as amended by PL 2011, c. 325,
38 §5, is further amended to read:

39 **6. Cost of administration; surplus.** ~~The Chief of the State Police Gambling~~
40 ~~Control Unit~~ may retain, from license fees collected in accordance with subsection 3-A,
41 only an amount necessary to defray the costs of administering this section. All fees

1 collected in excess of the amount necessary to defray the costs of administration must be
2 allocated as follows:

- 3 A. Forty percent to the Fractionation Development Center; and
- 4 B. Sixty percent to the General Fund.

5 **Sec. KKKKK-24. 17 MRSA §1837**, as enacted by PL 2009, c. 487, Pt. A, §2
6 and amended by PL 2011, c. 657, Pt. W, §6, is repealed.

7 **Sec. KKKKK-25. 17 MRSA §1837-A** is enacted to read:

8 **§1837-A. Raffles**

9 **1. Registration required.** Unless otherwise specified by this section, a person or
10 organization may not conduct a raffle without registering with the Gambling Control
11 Unit.

12 **2. Raffle with a prize of \$1,000 or less.** A person or organization is not required to
13 register with the Gambling Control Unit to conduct a raffle in which the total value of the
14 prize offered to the holder of the winning chance does not exceed \$1,000. If the raffle is
15 conducted in a manner in which there are multiple winning chances, the total value of all
16 prizes offered may not exceed a value of \$1,000.

17 **3. Raffle with a noncash prize of \$1,001 to \$10,000.** A person or organization may
18 conduct a raffle in which the total value of the prize offered to the winning chance is
19 greater than \$1,001 and does not exceed \$10,000 upon the acceptance of a registration by
20 the Gambling Control Unit. The Gambling Control Unit may not accept a registration for
21 a raffle under this subsection unless the registration states a verifiable charitable purpose
22 for which the proceeds of the raffle are dedicated to benefit. If the raffle is conducted in a
23 manner in which there are multiple winning chances, the total value of all prizes offered
24 may not exceed a value of \$10,000. A prize offered for a raffle conducted under this
25 subsection may not be in the form of cash and may not be exchanged for cash.

26 **4. Raffle with a noncash prize up to \$75,000 conducted by eligible organization.**
27 An eligible organization as described in section 1832, subsection 2 may conduct a raffle
28 in which the total value of the prize offered to the winning chance does not exceed
29 \$75,000 upon the acceptance of a registration by the Gambling Control Unit. The
30 registration must state a verifiable charitable purpose for which the proceeds of the raffle
31 are dedicated to benefit. If the raffle is conducted in a manner in which there are multiple
32 winning chances, the total value of all prizes offered may not exceed a value of \$75,000.
33 A prize for a raffle conducted under this subsection may not be in the form of cash and
34 may not be exchanged for cash. An eligible organization may not conduct more than one
35 raffle under this subsection in a 12-month period.

36 **5. Raffle conducted by persons 18 years of age or older; exception.** Raffle
37 chances or tickets may not be sold by a person under 18 years of age, except for raffles
38 conducted under subsections 2 and 3 designed to benefit activities of children at an event
39 generally attended by persons under 18 years of age.

40 **Sec. KKKKK-26. 17 MRSA §1838, sub-§§1 to 3**, as enacted by PL 2009, c.
41 487, Pt. A, §2, are amended to read:

1 **1. Compensation.** Those who conduct games of chance, card games, tournament
2 games or raffles may not be paid for such services except according to this subsection.

3 A. An organization including a fair licensed to operate beano, bingo or lucky seven
4 games may use up to 20% of the gross revenue to compensate those who conduct the
5 games.

6 B. Each person who conducts a game of chance licensed to an agricultural society
7 may be paid at a rate that does not exceed 3 times the State's minimum wage as
8 established in Title 26, section 664, subsection 1, unless the game is one for which
9 the limit in paragraph A applies.

10 **2. Exception.** Notwithstanding subsection 1, a licensee or registrant may use the
11 proceeds of a game of chance, card game, tournament game or raffle to:

12 A. Defray the expenses or part of the expenses that further the purpose for which the
13 organization is formed, except that the proceeds may not be:

14 (1) Used to purchase alcohol or to defray the cost of activities where alcohol is
15 served; or

16 (2) Paid directly to organization members except as specifically allowed in this
17 section; and

18 B. Defray the expenses or part of the expenses of a member, auxiliary member,
19 officer or employee of the organization for a serious illness, injury or casualty loss if
20 the licensee makes an application pursuant to this section and the application is
21 approved by the ~~licensing division within the Bureau of State Police~~ Gambling
22 Control Unit. An application must be made in the form and contain the information
23 the ~~licensing division~~ Gambling Control Unit requires.

24 (1) In the case of serious illness or injury, the ~~licensing division~~ unit may require
25 certification by a licensed physician in support of the application.

26 (2) In the case of a casualty loss, the ~~licensing division~~ unit may require
27 statements or reports from a law enforcement agency, rescue or other emergency
28 services personnel or an insurance agency to support the application.

29 (3) The ~~licensing division~~ unit may deny an application if it appears that the
30 person who would receive the proceeds has adequate means of financial support,
31 including, but not limited to, insurance or workers' compensation benefits.

32 **3. Rules.** The ~~Chief of the State Police~~ Gambling Control Unit shall adopt routine
33 technical rules in accordance with Title 5, chapter 375 to carry out this section.

34 **Sec. KKKKK-27. 17 MRSA §1839**, as enacted by PL 2009, c. 487, Pt. A, §2, is
35 amended to read:

36 **§1839. Records and reports**

37 **1. Records required.** Each licensee or registrant shall keep a record of all financial
38 transactions involving games of chance operated under ~~each license granted to the~~
39 licensee this chapter. ~~The treasurer of the licensee or another officer designated by the~~

1 ~~treasurer is responsible for maintaining those records.~~ The records must include an exact
2 account of all gross revenue from the games, an itemization of all allowable expenses,
3 including, but not limited to, the cost of prizes, printing, licenses and administration, and
4 the disposition of all proceeds, including, but not limited to, all gifts, grants and payments
5 to any person, firm, corporation, association or organization for any purpose whatsoever.
6 All financial records involving games of chance operated under this chapter must be
7 separate and distinguishable from other records of the organization. Revenue from more
8 than one game ~~of chance~~ operated under this chapter may be entered into one account.

9 **2. Records required for licensee or registrant employing tokens.** If a licensee or
10 registrant employs tokens to account for revenue from games of chance operated under
11 this chapter and if the licensee or registrant maintains direct control over the sale and
12 redemption of the tokens and keeps accurate records of all tokens used, then the ~~chief~~
13 Gambling Control Unit may by rule alter or reduce the record-keeping requirements of
14 subsection 1 to the extent ~~that a licensee's~~ the use of tokens renders those records
15 unnecessary for adequate control of the licensee's or registrant's games.

16 **3. Disposition of funds reports.** Within 10 business days after the last day of any
17 period during which a licensed game ~~of chance under this chapter~~ is conducted ~~with other~~
18 ~~than an annual license or within 10 business days after the end of each calendar month~~
19 ~~during which a licensed game of chance is conducted with an annual license,~~ the licensee
20 shall file with the ~~Chief of the State Police~~ Gambling Control Unit a disposition of funds
21 form prescribed and furnished by the ~~Chief of the State Police~~ Gambling Control Unit,
22 detailing for the period the total receipts and expenditures of the game and the disposition
23 of funds. Every statement must be made under oath by an officer of the licensee or by the
24 member in charge of the conduct of the game. A registrant who conducts games under
25 this chapter shall maintain records of disposition of funds, which must be made available
26 to the Gambling Control Unit upon request.

27 **4. Disposition of funds reports from registrant using tokens.** If tokens are
28 employed to account for revenue from games of chance operated under this chapter, then
29 the ~~licensee~~ registrant shall maintain a report of the number of tokens sold, the number
30 redeemed and the disposition of funds from the proceeds of sale in addition to such other
31 information as the ~~chief~~ Gambling Control Unit may require under subsection 3.

32 **5. Records maintained for 3 years.** Every licensee or registrant that has conducted
33 a game ~~of chance under this chapter~~ shall maintain and keep for a period of 3 years
34 reports as may be necessary to substantiate the records and reports required by this
35 section or by the rules adopted under this chapter.

36 **6. Location.** All records maintained by a licensee or registrant pursuant to this
37 section and pursuant to the rules adopted under this chapter must be kept and maintained
38 on the premises where the game ~~of chance~~ has been conducted or at the primary business
39 office of the licensee or registrant, which must be designated by the licensee in the license
40 application or the registrant in the registration. These records must be open to inspection
41 by the ~~Chief of the State Police or the chief's representative~~ Gambling Control Unit, and a
42 licensee or registrant may not refuse the ~~Chief of the State Police or the chief's~~
43 ~~representative~~ Gambling Control Unit permission to inspect or audit the records. Refusal
44 to permit inspection or audit of the records does not constitute a crime under this chapter
45 but constitutes grounds for revocation of license or registration.

1 **Sec. KKKKK-28. 17 MRSA §1840**, as enacted by PL 2009, c. 487, Pt. A, §2, is
2 amended to read:

3 **§1840. Distributors; records and reports**

4 ~~**1. Printers licensed.** A printer in the State may not print materials to be used in the~~
5 ~~conduct of a licensed game of chance unless licensed by the Chief of the State Police. A~~
6 ~~printer licensed under this section may act as a distributor without having to be licensed~~
7 ~~as a distributor as long as neither the printer nor anyone on the printer's behalf acts as a~~
8 ~~seller for services connected with a game of chance outside of the confines of the printer's~~
9 ~~premises described in that printer's license. If that printer or someone else acts as a seller~~
10 ~~for the printer's services in connection with a game of chance outside of the premises~~
11 ~~described on that printer's license, either that printer or any person or persons acting on~~
12 ~~that printer's behalf must be licensed as a distributor under subsection 2.~~

13 ~~The applicant for a printer's license, or, if the applicant is a firm, corporation, association~~
14 ~~or other organization, its resident manager, superintendent or official representative shall~~
15 ~~file an application with the Chief of the State Police on a form provided by the Chief of~~
16 ~~the State Police. The Chief of the State Police shall furnish to each applicant a current~~
17 ~~copy of this chapter and the rules adopted under section 1843 and to each licensee a copy~~
18 ~~of any changes or additions to this chapter and the rules adopted under section 1843.~~

19 **2. Distributors licensed.** A distributor may not sell, lease, market or otherwise
20 distribute gambling apparatus or implements unless licensed by the ~~Chief of the State~~
21 ~~Police~~ Gambling Control Unit, except that a license is not required for the sale, marketing
22 or distribution of raffle tickets when the holder of the winning chance receives something
23 of value worth less than \$10,000.

24 A nonresident manufacturer or distributor of gambling apparatus or implements doing
25 business in the State must have an agent in this State who is licensed as a distributor. A
26 distributor may not sell, market or otherwise distribute gambling apparatus or implements
27 to a person or organization, except to persons or eligible organizations described under
28 section 1832, subsection 2 licensed or registered to operate or conduct games of chance
29 ~~under section 1832, licensed this chapter or registered~~ to conduct a special raffle under
30 section 1837, subsection 2 ~~or eligible to conduct a raffle pursuant to section 1837,~~
31 ~~subsection 1 1837-A.~~ A distributor may not lease or loan or otherwise distribute free of
32 charge any gambling apparatus or implements to an organization eligible to operate a
33 ~~game of chance under this chapter~~, except that a distributor may lease gambling apparatus
34 or implements to an agricultural society ~~licensed~~ registered to operate games of chance on
35 the grounds of the agricultural society and during the annual fair of the agricultural
36 society as long as the distributor does not charge the agricultural society an amount in
37 excess of 50% of the gross revenue from any ~~licensed game of chance~~ conducted under
38 this chapter.

39 A licensee or registrant shall acquire gambling apparatus and implements from a
40 distributor licensed under this section, unless the gambling apparatus or implements are
41 printed, manufactured or constructed by the licensed organization. At no time may any
42 licensee print, manufacture or construct any gambling apparatus or implements for
43 distribution to any other licensee. The applicant for a distributor's license, or, if the
44 applicant is a firm, corporation, association or other organization, its resident manager,

1 superintendent or official representative shall file an application with the ~~Chief of the~~
2 ~~State Police~~ Gambling Control Unit on a form provided by the ~~Chief of the State Police~~
3 ~~Gambling Control Unit~~. The ~~Chief of the State Police~~ Gambling Control Unit shall
4 furnish to each applicant a current copy of this chapter and the rules adopted under
5 section 1843 and to each licensee a copy of any changes or additions to this chapter and
6 the rules adopted under section 1843.

7 **3. Sales agreements.** A distributor shall forward to the ~~Chief of the State Police~~
8 ~~Gambling Control Unit~~, prior to delivery of any gambling machine to the purchaser, a
9 copy of all sales agreements, sales contracts or any other agreements involving the sale of
10 any gambling machine. The terms of the sales contract must include, but are not limited
11 to, the name of seller, name of purchaser, address of seller, address of purchaser,
12 description of the gambling machine including serial number and model name and
13 number, total sale price, any arrangement or terms for payments and the date of final
14 payment.

15 Any change, modification or alteration of these agreements must be reported to the ~~Chief~~
16 ~~of the State Police~~ Gambling Control Unit by the purchaser within 6 days of the change,
17 modification or alteration.

18 **4. Service agreements.** With the sale of any gambling machine involving a service
19 agreement, the distributor shall forward to the ~~Chief of the State Police~~ Gambling Control
20 Unit a copy of the agreement prior to delivery of the machine. The terms of the service
21 agreements must include, but are not limited to, the name of seller, name of purchaser,
22 address of seller, address of purchaser, description of machine to be serviced including
23 serial number and model name and number and all prices and payments for that service.

24 Any change, modification or alteration of the agreement must be reported to the ~~Chief of~~
25 ~~the State Police~~ Gambling Control Unit by the purchaser within 6 days of the change,
26 modification or alteration.

27 **5. Agricultural societies; lease agreements.** When a gambling apparatus or
28 implement is leased as provided in subsection 2 to an agricultural society, the distributor
29 shall forward to the ~~Chief of the State Police~~ Gambling Control Unit a copy of the lease
30 agreement prior to delivery of the gambling apparatus or implement. The terms of the
31 lease must include, but are not limited to, the name of the lessor; address of the lessor;
32 name of the lessee; address of the lessee; description of the gambling apparatus or
33 implement; serial number, model name or number of the gambling apparatus or
34 implement; and all prices and payments for the lease. Each lease must be for a specific
35 period of time no longer than the duration of the annual fair of that lessee, and each
36 gambling apparatus must have its own separate lease. Gambling apparatus or implements
37 leased under this section:

38 A. May be operated only for the exclusive benefit of the agricultural society, except
39 that the agricultural society may pay a distributor up to 50% of gross gaming revenue
40 in accordance with subsection 2; and

41 B. Must bear the name and address of the distributor.

42 **6. Reports.** At the end of each calendar month, a distributor ~~or printer~~ shall file with
43 the ~~Chief of the State Police~~ Gambling Control Unit a report indicating:

1 A. The names and addresses of all persons or organizations to which the distributor
2 ~~or printer~~ has distributed equipment and the dates of the distribution;

3 B. A description of the equipment distributed, including serial number and model
4 name and number; and

5 C. The quantities of any equipment distributed.

6 **7. Retention and inspection of records.** A distributor ~~or printer~~ shall maintain and
7 keep for a period of 3 years, on the premises of the distributor ~~or printer~~, any records that
8 may be necessary to substantiate the reports required by this section or by the rules
9 adopted under this chapter. The records must be open to inspection, and a licensee or
10 registrant may not refuse the ~~Chief of the State Police~~ or the chief's representative
11 Gambling Control Unit permission to inspect or audit the records. Refusal to permit
12 inspection or audit of the records does not constitute a crime under this chapter but
13 constitutes grounds for revocation of license or registration.

14 **8. Reports generally.** The ~~Chief of the State Police~~ Gambling Control Unit shall
15 require from any licensed ~~printer~~ or distributor, or from any organization authorized to
16 operate a game ~~of chance~~ under this chapter, whatever reports determined necessary by
17 the ~~chief~~ unit for the purpose of the administration and enforcement of this chapter.

18 **Sec. KKKKK-29. 17 MRSA §1842**, as enacted by PL 2009, c. 487, Pt. A, §2, is
19 amended to read:

20 **§1842. Investigations and actions on licenses and registrations; evidence**

21 **1. Investigation.** The ~~Chief of the State Police~~ Gambling Control Unit shall
22 investigate or cause to be investigated all complaints made to the ~~chief~~ unit and all
23 violations of this chapter or the rules adopted pursuant to section 1843.

24 **2. Refusal to issue, modify or renew; modification; suspension; revocation.** Each
25 of the following is grounds for an action to refuse to issue, modify or renew or to modify,
26 suspend or revoke the license of a distributor ~~or printer~~ licensed under this chapter:

27 A. The distributor ~~or printer~~ or its resident manager, superintendent or official
28 representative made or caused to be made a false statement of material fact in
29 obtaining a license under this chapter or in connection with service rendered within
30 the scope of the license issued;

31 B. The distributor ~~or printer~~ or its resident manager, superintendent or official
32 representative violated any provision of this chapter or any rule adopted by the ~~Chief~~
33 ~~of the State Police~~ Gambling Control Unit under section 1843.

34 (1) Except as provided in subparagraph (2), the ~~Chief of the State Police~~
35 Gambling Control Unit shall give written notice of any violation to the distributor
36 ~~or printer~~ who then has 14 days to comply. Failure to comply within the 14-day
37 period is grounds for an action under this section.

38 (2) If a distributor ~~or printer~~ violates section 1840, subsection ~~1~~ or 2, the ~~Chief of~~
39 ~~the State Police~~ Gambling Control Unit is not required to give the notice or allow
40 the compliance period provided in subparagraph (1); or

1 C. The distributor ~~or printer~~ or its resident manager, superintendent or official
2 representative has been:

3 (1) Convicted of a crime under this chapter or Title 17-A, chapter 39; or

4 (2) Convicted within the prior 10 years of any crime for which imprisonment for
5 more than one year may be imposed.

6 **3. Gambling Control Unit.** The ~~Chief of the State Police~~ Gambling Control Unit
7 may:

8 A. Investigate all aspects of this chapter including the direct and indirect ownership
9 or control of any licenses or registrations;

10 B. Suspend, revoke or refuse to issue a license or accept a registration, after notice
11 and the opportunity for a hearing, if the applicant, applicant's agent or employee,
12 licensee ~~or~~ licensee's agent or employee, or registrant, registrant's agent or employee
13 or person registering violates a provision of this chapter or Title 17-A, chapter 39 or
14 fails to meet the statutory requirements for licensure or registration pursuant to this
15 chapter;

16 C. Immediately suspend or revoke a license or registration if there is probable cause
17 to believe that the licensee or the licensee's agent or employee or the registrant or the
18 registrant's agent or employee violated section 1832, subsection 8, paragraph C;
19 section 1841, subsection 2; or a provision of Title 17-A, chapter 39;

20 D. Issue a subpoena in the name of the State Police in accordance with Title 5,
21 section 9060, except that this authority applies to any stage of an investigation under
22 this chapter and is not limited to an adjudicatory hearing. This authority may not be
23 used in the absence of reasonable cause to believe a violation has occurred. If a
24 witness refuses to obey a subpoena or to give any evidence relevant to proper inquiry
25 by the ~~chief unit~~, the Attorney General may petition the Superior Court in the county
26 where the refusal occurred to find the witness in contempt. The Attorney General
27 shall cause to be served on that witness an order requiring the witness to appear
28 before the Superior Court to show cause why the witness should not be adjudged in
29 contempt. The court shall, in a summary manner, hear the evidence and, if it is such
30 as to warrant the court in doing so, punish that witness in the same manner and to the
31 same extent as for contempt committed before the Superior Court or with reference to
32 the process of the Superior Court; and

33 E. Require such evidence as the ~~chief unit~~ determines necessary to satisfy the ~~chief~~
34 unit that an applicant or organization licensed or registered to conduct games ~~of~~
35 ~~chance~~ under this chapter conforms to the restrictions and other provisions of this
36 chapter. Charters, organizational papers, bylaws or other such written orders of
37 founding that outline or otherwise explain the purpose for which an organization was
38 founded; must, upon request, be forwarded to the ~~Chief of the State Police~~ Gambling
39 Control Unit. The ~~Chief of the State Police~~ Gambling Control Unit may require of
40 any licensee, registrant or person registering or of any person operating, conducting
41 or assisting in the operation of a game licensed ~~game of chance~~ or registered under
42 this chapter, evidence as the ~~chief unit~~ may determine necessary to satisfy the ~~chief~~
43 unit that the person is a duly authorized member of the licensee, registrant or person

1 registering or a person employed by the licensee, registrant or person registering as a
2 bartender as required by section 1835, subsection 2 and section 1835-A, subsection 2.
3 Upon request, this evidence must be forwarded to the ~~Chief of the State Police~~
4 Gambling Control Unit. The ~~Chief of the State Police~~ Gambling Control Unit may
5 require such evidence as the ~~chief unit~~ may determine necessary regarding the
6 conduct of games ~~of chance by a licensee~~ authorized under this chapter to determine
7 compliance with this chapter.

8 **4. Actions after notice and opportunity for hearing.** The ~~Chief of the State Police~~
9 Gambling Control Unit shall notify the applicant, registrant or licensee in writing, before
10 a license or registration is denied, suspended or revoked pursuant to subsection 3,
11 paragraph B, of the intended denial or commencement date of the suspension or
12 revocation, which may not be made any sooner than 96 hours after the licensee's or
13 registrant's receipt of the notice, of the duration of the suspension or revocation and of the
14 right to a hearing pursuant to this subsection. The applicant ~~or~~ licensee, person
15 registering or registrant has the right to request a hearing before the Commissioner of
16 Public Safety or the commissioner's designee. Upon the ~~applicant's or licensee's~~ request
17 for a hearing, the Commissioner of Public Safety shall provide a hearing. The hearing
18 must comply with the Maine Administrative Procedure Act. The purpose of the hearing
19 is to determine whether a preponderance of the evidence establishes that the applicant,
20 person registering, applicant's or registering person's agent or employee or the licensee,
21 registrant or licensee's or registrant's agent or employee violated a provision of this
22 chapter or Title 17-A, chapter 39. A request for a hearing may not be made any later than
23 10 days after the applicant ~~or~~ licensee, person registering or registrant is notified of the
24 proposed denial, suspension or revocation. The suspension or revocation must be stayed
25 pending the hearing; the hearing may not be held any later than 30 days after the date the
26 commissioner receives the request unless otherwise agreed by the parties or continued
27 upon request of a party for cause shown.

28 **5. Immediate suspension or revocation.** A licensee or registrant whose license or
29 registration is immediately suspended or revoked by the ~~Chief of the State Police~~
30 Gambling Control Unit pursuant to subsection 3, paragraph C must be notified in writing
31 of the duration of the suspension or revocation and the licensee's or registrant's right to
32 request a hearing before the Commissioner of Public Safety or the commissioner's
33 designee. Upon the licensee's or registrant's request for a hearing, the Commissioner of
34 Public Safety shall provide a hearing. The hearing must comply with the Maine
35 Administrative Procedure Act. The purpose of the hearing is to determine whether a
36 preponderance of the evidence establishes that the licensee ~~or~~ the registrant, the
37 licensee's agent or employee or the registrant's agent or employee violated section 1832,
38 subsection 8, paragraph C; section 1841, subsection 2; or a provision of Title 17-A,
39 chapter 39. A request for a hearing may not be made any later than 48 hours after the
40 licensee or registrant is notified of the suspension or revocation. A hearing may not be
41 held any later than 10 days after the date the commissioner receives the request.

42 **6. Access to premises.** A person, firm, corporation, association or organization
43 making application or registration to the ~~Chief of the State Police~~ Gambling Control Unit
44 to conduct or operate a game ~~of chance~~ under this chapter or any such person, firm,
45 corporation, association or organization authorized under this chapter to conduct or
46 operate a game ~~of chance~~ shall permit inspection of any equipment, prizes, records or

1 items and materials used or to be used in the conduct or operation of a game ~~of chance~~
2 under this chapter by the ~~Chief of the State Police or the chief's authorized representative~~
3 Gambling Control Unit.

4 A firm, corporation, association or organization licensed or registered to conduct or
5 operate a game ~~of chance~~ under this chapter shall permit at any time the Department of
6 Public Safety or the city or town fire inspectors of the municipality in which the licensed
7 or registered game is being conducted to enter and inspect the ~~licensed~~ premises where
8 the game is being conducted.

9 **Sec. KKKKK-30. 17 MRSA §1843**, as enacted by PL 2009, c. 487, Pt. A, §2, is
10 amended to read:

11 **§1843. Rules**

12 The ~~Chief of the State Police~~ Gambling Control Unit may adopt routine technical
13 rules pursuant to Title 5, chapter 375, subchapter 2-A necessary for the administration
14 and enforcement of this chapter and for the licensing, registration, conduct and operation
15 of games ~~of chance~~ governed by this chapter. The ~~Chief of the State Police~~ Gambling
16 Control Unit may regulate, supervise and exercise general control over the operation of
17 such games. In establishing such rules, the ~~Chief of the State Police~~ must Gambling
18 Control Unit shall, in addition to the standards set forth in other provisions of this
19 chapter, set forth conduct, conditions and activity considered undesirable, including:

20 **1. Fraud.** The practice of any fraud or deception upon a participant in a game ~~of~~
21 ~~chance~~ governed by this chapter;

22 **2. Unsafe premises.** The conduct of a game ~~of chance~~ governed by this chapter in or
23 at premises that may be unsafe due to fire hazard or other such conditions;

24 **3. Advertising and solicitation.** Advertising that is obscene or solicitation on a
25 public way of persons to participate in a game ~~of chance~~ governed by this chapter;

26 **4. Organized crime.** Infiltration of organized crime into the operation of games ~~of~~
27 ~~chance~~ governed by this chapter or into the printing or distributing of gambling materials;

28 **5. Disorderly persons.** Presence of disorderly persons in a location where a game ~~of~~
29 ~~chance~~ governed by this chapter is being conducted;

30 **6. Leasing of equipment.** Leasing of equipment by a licensee or registrant used in
31 the operation of games ~~of chance~~ governed by this chapter not in accordance with this
32 chapter; and

33 **7. Bona fide nonprofit organization.** The establishment of organizations that exist
34 primarily to operate games ~~of chance~~ governed by this chapter and do not have a bona
35 fide nonprofit charitable, educational, political, civic, recreational, fraternal, patriotic,
36 religious or public safety purpose.

37 The ~~Chief of the State Police~~ Gambling Control Unit shall provide a mechanism for
38 individuals and businesses to request a determination from the ~~State Police~~ Gambling
39 Control Unit as to whether a particular game, contest, scheme or device qualifies as a
40 game of chance or a game of skill.

1 National Fire Protection Association No. 101, Life Safety Code, has the right to execute
2 or serve criminal and civil violation process against offenders who violate the National
3 Fire Protection Association No. 101, Life Safety Code.

4 **PART MMMMM**

5 **Sec. MMMMM-1. 25 MRSA §2450, first ¶**, as amended by PL 2009, c. 364,
6 §3, is further amended to read:

7 The Commissioner of Public Safety shall adopt, in accordance with requirements of
8 the Maine Administrative Procedure Act, a schedule of fees for the examination of all
9 plans for construction, reconstruction or repairs submitted to the Department of Public
10 Safety. ~~The fee schedule for new construction or new use is 5¢ per square foot for~~
11 ~~occupied spaces and 2¢ per square foot for bulk storage occupancies, except that a fee for~~
12 ~~review of a plan for new construction by a public school may not exceed \$450. The fee~~
13 ~~schedule for reconstruction, repairs or renovations is based on the cost of the project and~~
14 ~~may not exceed \$450, except as provided in section 2450-A. The fee schedule for new~~
15 construction, reconstruction, repairs or renovations is 1.5/10 of 1% of the cost to
16 construct or reconstruct the portion of the project that is subject to State Fire Marshal
17 review. Except for projects reviewed by a municipality pursuant to section 2448-A, the
18 fees must be credited to a special revenue account to defray expenses in carrying out this
19 section. Any balance of the fees may not lapse, but must be carried forward as a
20 continuing account to be expended for the same purpose in the following fiscal years.
21 For projects reviewed by a municipality that include occupied spaces, a 1¢ fee per square
22 foot must be remitted to the Department of Public Safety and a 4¢ fee per square foot
23 must be paid to the municipality.

24 **PART NNNNN**

25 This Part left blank intentionally.

26 **PART OOOOO**

27 **Sec. OOOOO-1. Transfer; Gambling Control Board; General Fund.**
28 Notwithstanding any other provision of law, the State Controller shall transfer \$1,000,000
29 in unexpended funds from the Gambling Control Board program, Other Special Revenue
30 Funds account in the Department of Public Safety to the General Fund unappropriated
31 surplus by the end of fiscal year 2018-19.

32 **PART PPPPP**

33 **Sec. PPPPP-1. Debt service.** For the 2020-2021 biennial budget, the baseline
34 appropriation for the Debt Service - UMS program within the University of Maine
35 System is increased by \$3,000,000 per year for debt service costs to support a 10-year
36 revenue bond to support the construction of an engineering building on the Orono campus
37 of the University of Maine, with the first year of debt service starting in fiscal year 2019-
38 20.

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PART QQQQ

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

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

- Superintendent of Financial Institutions;
- Superintendent of Consumer Credit Protection;
- State Tax Assessor;
- Associate Commissioner for Tax Policy, Department of Administrative and Financial Services;
- Superintendent of Insurance;
- Executive Director of the Maine Consumer Choice Health Plan;
- ~~Deputy Commissioner~~ Two deputy commissioners, Department of Administrative and Financial Services;
- Deputy Commissioner, Department of Corrections;
- Public Advocate;
- Two deputy commissioners, Department of Health and Human Services;
- Chief Information Officer;
- Associate Commissioner, Department of Corrections;
- Chief of the State Police; and
- Securities Administrator, Office of Securities.

Sec. QQQQ-2. 5 MRSA §282, first ¶, as amended by PL 2003, c. 673, Pt. C, §1, is further amended to read:

~~The commissioner may, with the approval of the Governor, appoint a deputy commissioner, who is the chief of one of the department bureaus and shall perform the duties of the commissioner during the commissioner's absence, in addition to the deputy commissioner's regular duties. The compensation and expense of the deputy commissioner is paid from any available funds appropriated for the use of the bureau of which the deputy commissioner is chief. The commissioner may appoint and employ the~~ deputy commissioners, bureau chiefs and the ~~assistant to the commissioner~~ director of legislative affairs to be under the commissioner's immediate supervision, direction and control, and to serve at the commissioner's pleasure and perform such duties as the commissioner may prescribe, except as otherwise provided by law. In the absence of the commissioner, the commissioner, or the Governor if the commissioner is unable, may appoint one of the deputy commissioners to act on behalf of the commissioner. In addition, the commissioner may appoint an associate commissioner for administrative services who is not subject to the Civil Service Law and who serves at the pleasure of the commissioner.

1 determined necessary, determines the refusal, denial or failure was not for just and proper
2 cause, the court shall enter an order for disclosure. Appeals may be advanced on the
3 docket and receive priority over other cases when the court determines that the interests
4 of justice so require.

5 **4. Proceedings not exclusive.** The proceedings authorized by this section are not
6 exclusive of any other civil remedy provided by law.

7 **5. Attorney's fees.** In an appeal under subsection 3 or another civil proceeding, the
8 court may award reasonable attorney's fees and litigation expenses to the substantially
9 prevailing plaintiff who appealed pursuant to subsection 3 or in another civil proceeding
10 if the court determines that the illegal action was committed in bad faith. Attorney's fees
11 and litigation costs may not be awarded to or against a federally recognized Indian tribe.

12 **6. Subpoena power.** The commissioner may, in connection with the performance of
13 the commissioner's duties, apply to the Superior Court for a subpoena to compel the
14 attendance of witnesses and the production of books, papers, records and documents of
15 individuals, firms, associations and corporations and all officers, boards, commissions
16 and departments of county government. The court, before issuing the subpoena, shall
17 provide adequate opportunity for the commissioner and the party against whom the
18 subpoena is requested to be heard. The court may issue the subpoena only on a showing
19 by the commissioner and specific findings of fact by the court that the attendance of the
20 witness or the production of the books, papers, records or documents is reasonably
21 necessary to carry out specific duties of the commissioner that are related to the
22 operations and finances of the county jails and that the commissioner has made
23 reasonable efforts to secure the attendance or the books, papers, records or documents
24 without recourse to compulsory process.

25 **Sec. SSSSS-2. Report.** By February 15, 2018, the Department of Corrections
26 shall submit a report to the Joint Standing Committee on Appropriations and Financial
27 Affairs and the Joint Standing Committee on Criminal Justice and Public Safety on plans
28 to restructure the funding and operation of county jails and correctional facilities and
29 prisoner population and capacity. The Joint Standing Committee on Criminal Justice and
30 Public Safety may report out legislation in the Second Regular Session of the 128th
31 Legislature implementing the recommendations.

32 **PART TTTTT**

33 **Sec. TTTTT-1. 20-A MRSA §10952, sub-§§8 and 9,** as enacted by PL 1987,
34 c. 735, §14, are amended to read:

35 **8. Execute contracts.** To make, enter into, execute, deliver and amend any and all
36 contracts, agreements, leases, instruments and documents and perform all acts and do all
37 things necessary or convenient to acquire, construct, reconstruct, improve, equip, finance,
38 maintain and operate projects and to carry out the powers granted to this chapter, or
39 reasonably implied from those powers; ~~and~~

40 **9. Maintain treasury.** To retain in its treasury:

1 A. All money received from the sale of all evidences of indebtedness issued under
2 this chapter;

3 B. All fees, tuitions, rentals and other charges from students, faculty, staff members
4 and others using or being served by, or having the right to use or the right to be
5 served by, or to operate, any project;

6 C. All fees for student activities, student services and all other fees, tuitions and
7 charges collected from students matriculated, registered or otherwise enrolled at and
8 attending the university, pledged under the terms of any resolution authorizing
9 financing transactions pursuant to this chapter; and

10 D. All rentals from any facility or building leased to the Federal Government or any
11 other 3rd party; and

12 **Sec. TTTTT-2. 20-A MRSA §10952, sub-§10** is enacted to read:

13 **10. Taxable bond option.** To agree and consent to the inclusion of interest on any
14 of its evidences of indebtedness, under the United States Internal Revenue Code of 1986
15 or any subsequent corresponding internal revenue law of the United States, in the gross
16 income of the holders of any such evidences of indebtedness to the same extent and in the
17 same manner that the interest on bills, bonds, notes or other obligations of the United
18 States is includable in the gross income of the holders of such bills, bonds, notes or other
19 obligations under the United States Internal Revenue Code or any such subsequent law.

20 **Sec. TTTTT-3. Maine Revised Statutes headnote amended; revision**
21 **clause.** In the Maine Revised Statutes, Title 20-A, chapter 412, in the chapter headnote,
22 the words "tax exempt borrowing authority for the University of Maine System" are
23 amended to read "borrowing authority for the University of Maine System," and the
24 Revisor of Statutes shall implement this revision when updating, publishing or
25 republishing the statutes.

26 **PART UUUUU**

27 This Part left blank intentionally.

28 **PART VVVVV**

29 **Sec. VVVVV-1. 20-A MRSA §1051, sub-§6, ¶D** is enacted to read:

30 D. A group of school administrative units that have an interlocal agreement pursuant
31 to Title 30-A, chapter 115 in order to establish a school management and leadership
32 center to jointly purchase the services of a superintendent may elect the
33 superintendent in the manner prescribed in their interlocal agreement.

34 **Sec. VVVVV-2. 20-A MRSA §1461-B, sub-§3, ¶B**, as enacted by PL 2009, c.
35 580, §5, is amended to read:

36 B. A plan for an alternative organizational structure ~~may include a collaborative~~
37 ~~agreement under chapter 114 and~~ must include an interlocal agreement under Title

1 30-A, chapter 115. The plan must include procedures for conducting a kindergarten
2 to grade 12 budget approval pursuant to paragraph C.

3 **Sec. VVVVV-3. 20-A MRSA c. 113-A**, as amended, is repealed.

4 **Sec. VVVVV-4. 20-A MRSA c. 114**, as amended, is repealed.

5 **Sec. VVVVV-5. 20-A MRSA §2651, sub-§2**, as amended by PL 2015, c. 251,
6 §4, is further amended to read:

7 **2. Use of fund.** The department shall award grants from the fund to school
8 administrative units, municipalities, counties and groups of 2 or more such entities,
9 ~~including such groups that have entered into a collaborative agreement pursuant to~~
10 ~~chapter 114~~, to fund the costs of implementing changes in governance, administrative
11 structures or policies that result in the creation of consolidated school administrative
12 units; purchasing alliances; innovative, autonomous public schools, teacher-led schools,
13 innovative public school districts or innovative public school zones; regional delivery of
14 collaborative programs and educational services; or collaborations of municipal-school
15 service delivery or support systems, with the purpose of improving educational
16 opportunity and student achievement. Grants must be used to implement changes that
17 will be sustained by the school administrative unit, municipality or county without the
18 need for additional grants from the fund or other sources.

19 **Sec. VVVVV-6. 20-A MRSA c. 123** is enacted to read:

20 CHAPTER 123

21 SCHOOL MANAGEMENT AND LEADERSHIP CENTERS

22 §3801. General provisions

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

25 A. "Municipality" means a city, town or organized plantation.

26 B. "School management and leadership center" means a multiservice agency
27 established and operated exclusively for the purposes of developing, managing and
28 providing services or programs to 2 or more members pursuant to section 3802,

29 subsection 2 and may include associate members pursuant to section 3802, subsection
30 3. A "school management and leadership center" is a political subdivision pursuant
31 to section 3802, subsection 7.

32 **2. Establishment.** A school administrative unit as described in section 3802,
33 subsection 2 may become a member of a school management and leadership center
34 through an interlocal agreement pursuant to Title 30-A, chapter 115 and the agreement
35 may include associate members as described in section 3802, subsection 3.

36 **3. Interlocal agreement.** An interlocal agreement establishing a school
37 management and leadership center must include the structure and governance of the
38 school management and leadership center and its functions, programs and services.

- 1 A. An interlocal agreement must include the specifications required pursuant to Title
2 30-A, section 2203, subsection 2 and a description of:
- 3 (1) The school management and leadership center board composition, election or
4 appointment of officers, board member terms and method of voting;
- 5 (2) An approval process for a new school administrative unit to join the school
6 management and leadership center;
- 7 (3) An approval process for an existing member to transfer to another school
8 management and leadership center;
- 9 (4) The process for determining the sharing of costs for and the assessments of
10 or payments to the school management and leadership center;
- 11 (5) The budget process that requires a school management and leadership center
12 budget be adopted by a date established in order to meet local school
13 administrative unit budget deadlines. The budget process must include a
14 contingency plan for a budget failure and must be in the cost center summary
15 budget format pursuant to section 1485;
- 16 (6) The process for a balanced budget as required by section 3802, subsection 10
17 and the method of determining the return of any excess funds to the members of
18 the school management and leadership center; and
- 19 (7) The process for the disposition of indebtedness and property including by
20 sale or lease, transferred to or from or administered by the school management
21 and leadership center.
- 22 B. An interlocal agreement may include but is not limited to a description of the
23 following:
- 24 (1) The approval process for the formation of a school management and
25 leadership center;
- 26 (2) Any associate members, the process for including associate members and
27 their roles in the school management and leadership center;
- 28 (3) The process to authorize the school management and leadership center to
29 borrow funds for school construction purposes including bonds and notes;
- 30 (4) The process to approve the purchase or lease of buildings or land by the
31 school management and leadership center;
- 32 (5) The process by which a school management and leadership center may
33 establish, maintain and expend funds from a reserve fund or contingency fund;
- 34 (6) The process of hiring an executive director for the school management and
35 leadership center; and
- 36 (7) A transition plan to move authorized programs and services from a member
37 to the school management and leadership center.

1 An interlocal agreement cannot transfer a school administrative unit's responsibility for
2 providing the opportunity of a free public education to each of its students or a free,
3 appropriate education to each of its students with a disability as required by this Title or
4 by federal law.

5 **4. Duties of school management and leadership center.** A school management
6 and leadership center's functions, programs and services may include but are not limited
7 to the following:

8 A. Accounting, payroll and financial management services and procurement;

9 B. Transportation, transportation routing and vehicle maintenance;

10 C. Reporting functions;

11 D. Special education programs and administration;

12 E. Gifted and talented programs and administration;

13 F. Alternative education programs and administration;

14 G. Substitute teachers and staff augmentation;

15 H. Technology and technology support;

16 I. Food service planning and purchasing;

17 J. Energy management and facilities maintenance;

18 K. Regional school leadership academies;

19 L. Staff training and professional development;

20 M. Shared educational programs or staff;

21 N. Shared support service programs;

22 O. Educational programs such as summer school, extended school year, tutoring,
23 advanced placement and other programs that serve students and improve student
24 achievement;

25 P. Shared extracurricular or cocurricular programs; and

26 Q. Superintendent services.

27 **§3802. School management and leadership center authorized**

28 A school management and leadership center shall provide administrative and
29 education functions in accordance with this chapter and shall function as an extension of
30 the member school administrative units and associate members of the school management
31 and leadership center. A member school administrative unit of the school management
32 and leadership center cannot transfer the responsibility for providing the opportunity of a
33 free public education to each of its students or a free, appropriate education to each of its
34 students with a disability as required by this Title or by federal law.

35 **1. Geographic boundaries.** The commissioner shall determine 9 to 12 geographic
36 areas for the establishment of each school management and leadership center.
37 Membership in a particular school management and leadership center does not require the

1 member to be physically located in the school management and leadership center's
2 geographic boundary.

3 **2. Members.** Members in a school management and leadership center must be
4 determined by interlocal agreement pursuant to Title 30-A, chapter 115 and may include
5 the following types of school administrative units:

6 A. Community school districts pursuant to chapter 105;

7 B. Municipal school units pursuant to chapter 111;

8 C. Regional school units pursuant to chapter 103-A;

9 D. School administrative districts pursuant to chapter 103; and

10 E. Schools established on tribal lands pursuant to Title 30, chapter 601.

11 **3. Associate members.** Associate members for a school management and leadership
12 center may include the following through a contractual agreement or memorandum of
13 understanding with the members of the school management and leadership center:

14 A. Career and technical education regions pursuant to chapter 313, subchapter 4;

15 B. Public charter schools as defined in chapter 112;

16 C. Providers of child development services pursuant to chapter 303;

17 D. Magnet schools pursuant to chapters 312 and 312-A;

18 E. The Maine Educational Center for the Deaf and Hard of Hearing and the
19 Governor Baxter School for the Deaf pursuant to chapter 304;

20 F. Providers of education in the unorganized territory pursuant to chapter 119; or

21 G. Municipalities and counties pursuant to Title 30-A.

22 **4. Provision of services to or from other public entities or nonprofit entities.** A
23 school management and leadership center may provide services to or purchase services
24 from other types of political subdivisions, public entities or nonprofit organizations or
25 associations.

26 **5. Purchase of services from another school management and leadership center.**
27 A member of a school management and leadership center may purchase services from
28 another school management and leadership center if not provided by the member's school
29 management and leadership center.

30 **6. Validation.** A school management and leadership center authorized and
31 organized under this chapter is validated, confirmed, approved and declared legal in all
32 respects, notwithstanding any defect or irregularity that may have occurred in the
33 organization of the school management and leadership center or in the selection of the
34 board of that school management and leadership center.

35 **7. Political subdivision.** A school management and leadership center is a political
36 subdivision within the meaning of Title 5, section 19002, subsection 6 and a quasi-
37 municipal corporation within the meaning of Title 30-A, section 5701, and all the
38 provisions of those sections apply to it. Notwithstanding Title 30-A, section 2203,

1 subsection 8, paragraph B, the members of a school management and leadership center
2 may delegate eminent domain power to the school management and leadership center by
3 agreement. A school management and leadership center is considered a tax-exempt
4 governmental entity for the purposes of Title 36, section 1760, subsection 2.

5 **8. Executive director.** A school management and leadership center shall employ an
6 executive director, and the interlocal agreement under section 3801, subsection 3 must
7 specify that the executive director shall administer, in compliance with this chapter, the
8 provisions of the interlocal agreement in the school management and leadership center.

9 **9. Personnel.** The executive director of a school management and leadership center
10 may employ a chief financial officer and may employ additional staff necessary to
11 administer the functions assigned to the school management and leadership center
12 through the provisions of the interlocal agreement under section 3801, subsection 3.

13 **10. Balanced budget.** A school management and leadership center must have a
14 balanced budget and return excess funds to the members as prescribed by the interlocal
15 agreement under section 3801, subsection 3.

16 **11. Authority to borrow, expend and accept funds.** A school management and
17 leadership center may:

18 A. Borrow funds in anticipation of a member's payment of its share of the school
19 management and leadership center budget. Such borrowing:

20 (1) Must be repaid within one year; and

21 (2) May not at any time exceed 3/4 of the school management and leadership
22 center's annual approved budget;

23 B. Expend available funds to pay debt service, security and maintenance costs; and

24 C. Accept and expend funds from state, federal and other sources and expend those
25 funds on behalf of the members.

26 **12. Bonding authority.** A school management and leadership center may issue
27 bonds and notes for school construction purposes. For purposes of this section, "school
28 construction purposes" includes minor capital costs relating to maintenance of a school's
29 physical plant. The school management and leadership center board shall decide whether
30 the issuance of bonds or notes by the school management and leadership center for school
31 construction purposes is necessary. The board shall determine whether the issuance of
32 bonds or notes is authorized, and, if so, the board shall issue the bonds or notes and
33 administer the proceeds of, and the payment of principal of and interest on, those bonds
34 or notes after issuance. A school management and leadership center may issue bonds and
35 notes for school construction purposes only under the provisions of the interlocal
36 agreement under section 3801, subsection 3.

37 **13. Withdrawal from school management and leadership center.** If a single
38 school administrative unit applies to withdraw, it must demonstrate to the commissioner
39 that as a result of the school administrative unit's withdrawing that there will be no
40 increase in costs or decrease in student programs and services for the withdrawing school

1 administrative unit and for any of the remaining member school administrative units of
2 the school management and leadership center.

3 **14. Dissolution of school management and leadership center.** A school
4 management and leadership center may not be dissolved unless it applies to the
5 commissioner for approval and:

6 A. All member school administrative units apply to transfer to another school
7 management and leadership center; or

8 B. If all the member school administrative units of a school management and
9 leadership center apply to dissolve the school management and leadership center,
10 they demonstrate to the commissioner that there will be no increase in costs or
11 decrease in student programs and services for any of the member school
12 administrative units of the school management and leadership center.

13 **15. Reporting requirements.** A school management and leadership center must
14 meet state and federal reporting requirements on behalf of each member school
15 administrative unit.

16 **§3803. Oversight**

17 The commissioner shall provide oversight of the school management and leadership
18 centers, and this oversight must include the following.

19 **1. Data collection; monitoring.** The commissioner or the commissioner's designee
20 is responsible for collecting, analyzing and reporting data from school management and
21 leadership centers. The commissioner or the commissioner's designee shall monitor the
22 performance and legal compliance of the school management and leadership centers,
23 including collecting and analyzing data to support ongoing evaluation of the school
24 management and leadership centers.

25 **2. Notification of unsatisfactory performance or compliance.** If a school
26 management and leadership center's performance or legal compliance appears
27 unsatisfactory, the commissioner shall promptly provide written notice to the school
28 management and leadership center and its members of perceived problems and provide
29 reasonable opportunity for the school management and leadership center to remedy the
30 problems. The school management and leadership center shall provide the commissioner
31 a corrective action plan to remedy the problems.

32 **§3804. Audit**

33 A school management and leadership center shall adhere to generally accepted
34 accounting principles and shall annually engage an external auditor to do an independent
35 audit of the school management and leadership center's finances. The school management
36 and leadership center shall submit the audit to its members and to the department. The
37 audit must be conducted in the same manner as a school administrative unit audit in
38 accordance with chapter 221, subchapter 2.

1 **§3805. Application for and approval of a school management and leadership center**

2 **1. Application.** The commissioner shall establish an application process under this
3 chapter for the formation of a school management and leadership center. The application
4 must be in a form and contain such information as required by the commissioner,
5 including, but not limited to:

6 A. The identification of the school administrative units that are applying to form the
7 school management and leadership center;

8 B. The specified structure and governance of the school management and leadership
9 center and its purposes, functions, programs and services;

10 C. How any savings resulting from the formation of the school management and
11 leadership center will be used; and

12 D. A copy of the proposed interlocal agreement pursuant to section 3801, subsection
13 3.

14 **2. Commissioner’s approval.** If an application under this section contains the
15 information required pursuant to subsection 1, the commissioner shall notify each school
16 administrative unit participating in the school management and leadership center that,
17 pending voter approval as set forth in subsection 3, the school management and
18 leadership center is approved pursuant to this chapter. The commissioner shall keep a
19 register of school management and leadership centers that have been approved pursuant
20 to this chapter.

21 **3. Voter approval.** If the commissioner approves an application for a school
22 management and leadership center pursuant to subsection 2, the school management and
23 leadership center must receive voter approval using the process specified in the interlocal
24 agreement pursuant to section 3801, subsection 3, paragraph B, subparagraph (1).

25 **§3806. Direct state funding of a school management and leadership center**

26 A school management and leadership center receives direct state funds for start-up
27 costs in accordance with section 15689, subsection 9. A school management and
28 leadership center that provides to members at least 2 different services covering a total of
29 at least 2 different categories as specified in section 15683-C, subsection 2 must receive
30 annual support for 55% of the executive director’s salary and benefits, an accounting and
31 payroll system and a student information system.

32 The school administrative units that are members of a school management and
33 leadership center must receive state funds in accordance with section 15683-C.

34 **§3807. Regional school leadership academies**

35 A regional school leadership academy is a professional development consortium that
36 combines state and local programs and resources, including the preparation, licensure,
37 certification, professional development and training for educational leadership, into a
38 coherent system that can significantly improve the recruitment and preparation of
39 prospective candidates for school principals and other school leadership positions, as well
40 as the induction, mentoring and retention of principals and school leaders during the first

1 2 years of employment in their school leadership positions. The mission of an academy
2 may be to enhance the quality of the preservice and in-service staff training programs for
3 school principals and other school leadership positions, to improve the distribution,
4 supply and quality of school leadership personnel in underserved school administrative
5 units in the State and to develop appropriate professional development pathways at
6 participating schools in the academy. To fulfill its mission, the academy may work in
7 coordination with educational leadership mentors and coaches, with high-performing
8 educational leaders and with educator preparation programs and statewide education
9 associations.

10 **Sec. VVVVV-7. 20-A MRSA §5205, sub-§6-B** is enacted to read:

11 **6-B. School management and leadership center enrollment policies.** Members in
12 a school management and leadership center, as defined in section 3801, subsection 1,
13 paragraph B, may adopt a mutual policy allowing the transfer of students, with parental
14 approval, among the member school administrative units. The mutual policy must set
15 forth procedures and standards governing the transfers, including but not limited to the
16 school year or years in which the policy applies, application procedures and standards of
17 responsibility for transportation and special education. Each member school board that
18 adopts the mutual policy under this subsection shall post a copy of the mutual policy on
19 the school administrative unit’s publicly accessible website and shall provide timely
20 notice of the policy to residents of the school administrative unit governed by that school
21 board. For the purposes of chapter 606-B, a student transferred under this subsection is
22 considered a resident of the school administrative unit to which the student transferred.

23 **Sec. VVVVV-8. 20-A MRSA §6202, sub-§1-A,** as amended by PL 2009, c.
24 154, §3, is further amended to read:

25 **1-A. Interpretation.** The statewide assessment program results may be interpreted
26 in a manner that takes into account the particular role within a school administrative unit
27 of regional special education or regional alternative education programs or schools
28 approved by the commissioner in accordance with ~~chapter 113-A~~ or section 7253. For
29 these programs or schools, the results may be interpreted by assigning the student and the
30 scores of the student to the school in the community where the student resides. The
31 commissioner shall adopt rules to implement this subsection. Rules adopted pursuant to
32 this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter
33 2-A.

34 **Sec. VVVVV-9. 20-A MRSA §15672, sub-§2-A, ¶B,** as amended by PL 2007,
35 c. 111, §3, is further amended to read:

36 B. Lease costs for school buildings when the leases, including leases under which the
37 school administrative unit may apply the lease payments to the purchase of portable,
38 temporary classroom space, have been approved by the commissioner for the year
39 prior to the allocation year. Lease costs include costs for leasing:

40 (1) Administrative space. A school administrative unit engaged in a state-
41 approved lease-purchase agreement for administrative space is eligible for state
42 support until July 1, 2008;

1 (2) Temporary and interim instructional space. Temporary space is instructional
2 space consisting of one or more mobile or modular buildings that are portable,
3 that are constructed on- or off-site and that can be disassembled and moved
4 economically to a new location. Interim instructional space is fixed instructional
5 space that a school administrative unit rents for a defined period of time and then
6 vacates at the end of the lease.

7 (a) A school administrative unit with state-approved need for instructional
8 space may lease temporary or interim space, with state support, for a
9 maximum of 5 years. A school administrative unit may appeal to the
10 commissioner if this limitation presents an undue burden. When making a
11 determination on a school administrative unit's request for relief based on
12 undue burden, the commissioner may consider, but is not limited to
13 considering, the following:

14 (i) Fiscal capacity;

15 (ii) Enrollment demographics; and

16 (iii) Unforeseen circumstances not within the control of the appealing
17 school administrative unit.

18 An extension granted by the commissioner beyond the 5-year maximum for
19 state support is limited to a period of one year. Any additional request for
20 extensions must be submitted and reviewed on an annual basis. The
21 commissioner's decision is final.

22 (b) A school administrative unit with state-approved need for instructional
23 space may engage in a lease-purchase agreement for temporary or interim
24 instructional space with state support for a maximum of 5 years; ~~and~~

25 (3) Permanent small instructional space that replaces existing approved leased
26 temporary or interim instructional space. Permanent small instructional space
27 consists of new buildings or additions to existing buildings that are secured to a
28 permanent foundation. Once an existing leased temporary or interim
29 instructional space has been replaced by a permanent small instructional space
30 through an approved financing agreement, that space is eligible for state support
31 for a maximum of 10 years; and

32 (4) Regional programs and services space. A school administrative unit engaged
33 in a state-approved lease-purchase agreement for regional programs and services
34 space that serves students from 2 or more school administrative units is eligible
35 for state support for a maximum of 5 years.

36 The department shall adopt rules necessary to implement this paragraph. Rules
37 adopted by the department to implement this paragraph are major substantive rules
38 pursuant to Title 5, chapter 375, subchapter 2-A; and

39 **Sec. VVVVV-10. 20-A MRS §15683-C** is enacted to read:

1 **§15683-C. School management and leadership center members; calculation of**
2 **school management and leadership center administration allocation and**
3 **state contribution**

4 Beginning with fiscal year 2018-19, this section applies to school administrative units
5 that are members of school management and leadership centers pursuant to chapter 123.

6 **1. Calculation of school management and leadership center per-pupil rate.** The
7 commissioner shall calculate a per-pupil amount for school management and leadership
8 center administration. The per-pupil amount for school management and leadership
9 center administration is based on the actual General Fund expenditures for school
10 administrative units with 2,500 students or more for the functions of school boards,
11 elections and central offices, as defined in the State's accounting handbook for local
12 school systems for the most recent year available, excluding expenditures for
13 administrative technology-related software and less miscellaneous revenues from other
14 local governments, divided by the average of October and April enrollment counts for
15 that fiscal year and adjusted by appropriate trends in the Consumer Price Index or other
16 comparable index.

17 **2. Categories of services of school management and leadership center.** The
18 following are the categories of services that a school administrative unit that is a member
19 of a school management and leadership center pursuant to chapter 123 may purchase for
20 funding purposes under section 3806.

21 A. Category 1, appropriate instructional services in the least restrictive settings that
22 comply with federal regulations and state rules, including:

23 (1) Special education programs and administration;

24 (2) Gifted and talented programs and administration;

25 (3) Alternative education programs and administration;

26 (4) Shared educational programs or staff; and

27 (5) Educational programs such as summer school, extended school year,
28 tutoring, advanced placement and other programs that serve students and improve
29 student achievement.

30 B. Category 2, education support services, including the following services:

31 (1) Substitute teachers and staff augmentation;

32 (2) Technology and technology support;

33 (3) Staff training and professional development;

34 (4) Regional school leadership academies;

35 (5) Shared support services programs; and

36 (6) Shared extracurricular or cocurricular programs.

37 C. Category 3, central office services, including the following services:

- 1 (1) Accounting, payroll, financial management services and procurement;
- 2 (2) Reporting functions;
- 3 (3) Food service planning and purchasing; and
- 4 (4) Superintendent services.

5 D. Category 4, facilities and transportation system services, including the following
6 services:

- 7 (1) Transportation, transportation routing and vehicle maintenance; and
- 8 (2) Energy management and facilities maintenance.

9 **3. Eligibility for school management and leadership center allocation.** The
10 commissioner shall determine that a school administrative unit is eligible for a school
11 management and leadership center allocation if according to its school management and
12 leadership center interlocal agreement pursuant to section 3801, subsection 3, the school
13 administrative unit purchases at least 2 different services covering a total of at least 2
14 different categories from the school management and leadership center as specified in
15 subsection 2.

16 **4. Total allocation and state contribution.** The commissioner shall determine an
17 eligible school administrative unit's total school management and leadership center
18 allocation under subsection 3 as the school management and leadership center per-pupil
19 rate in subsection 1 multiplied by the school administrative unit's subsidizable pupil count
20 for October 1st of the most recent calendar year prior to the year of funding. The state
21 contribution for each school administrative unit's school management and leadership
22 center allocation is the allocation multiplied by the school administrative unit's state share
23 percentage pursuant to section 15672, subsection 31, not to exceed 70% and not less than
24 30%.

25 **Sec. VVVVV-11. 20-A MRSA §15689, sub-§9,** as enacted by PL 2007, c. 240,
26 Pt. D, §6, is amended to read:

27 **9. Regionalization, consolidation and efficiency assistance adjustment.** The
28 commissioner may expend and disburse funds limited to the amount appropriated by the
29 Legislature to carry out the purposes of promoting regionalization, consolidation and
30 efficiency. These funds ~~must~~ may be an adjustment to the qualifying school
31 administrative unit's state allocation. The commissioner may also expend and disburse
32 these funds as follows:

33 A. For direct contractual agreements to provide legal services, facilitation services
34 and other services to assist a school administrative unit with planning and
35 implementing regionalization, consolidation and efficiencies;

36 B. For direct support to school management and leadership centers established
37 pursuant to chapter 123 including those costs specified in section 3806; and

38 C. For department costs incurred for the review of applications and interlocal
39 agreements for school management and leadership centers under chapter 123.

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PART AAAAAA

Sec. AAAAAA-1. 20-A MRSA §7209, sub-§3-A, ¶¶F and G, as enacted by PL 2011, c. 655, Pt. OO, §4, are amended to read:

F. Coordinate with eligible families the development of individualized family service plans for children with disabilities from birth to 2 years of age or coordinate an individualized education program for a child 3 years of age to under 6 years of age; ~~and~~

G. Ensure that children from birth until 6 years of age who are referred to the Child Development Services System also receive appropriate referrals for support outside of the system, including appropriate public and private programmatic resources, regardless of a child's eligibility for early intervention or free, appropriate public education; ~~and~~

Sec. AAAAAA-2. 20-A MRSA §7209, sub-§3-A, ¶H is enacted to read:

H. Engage in appropriate training and staff development for identification of and to provide intervention services for children with autism.

PART BBBBBB

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PART EEEEEEE

Sec. EEEEEEE-1. Department of Education; review and initiative to address truancy. The Department of Education shall review the regional work of Count ME In, a public-private partnership focused on positive consistent attendance in school through all grade levels. The health team within the Department of Education shall undertake a comprehensive attendance initiative, looking at a holistic approach to supportive services to children to ensure they are attending school and receiving the necessary supports for positive educational outcomes. The department shall report to the Joint Standing Committee on Education and Cultural Affairs on the status of this work by January 31, 2018.

PART FFFFFFF

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PART GGGGGG

Sec. GGGGGG-1. 5 MRSA §1591, sub-§2, ¶¶H and I, as enacted by PL 2015, c. 267, Pt. VV, §3, are amended to read:

H. Any balance remaining in the Bridging Rental Assistance Program, General Fund account at the end of any fiscal year to be carried forward for use in the next fiscal year for the same purpose; ~~and~~

I. Any balance remaining in the Consumer-directed Services program, General Fund account at the end of any fiscal year to be carried forward for use by this program in the next fiscal year; and

Sec. GGGGGG-2. 5 MRSA §1591, sub-§2, ¶J is enacted to read:

J. Any balance remaining in the Office of Substance Abuse and Mental Health Services program, General Fund account at the end of any fiscal year to be carried forward for use by this program in the next fiscal year.

PART HHHHHH

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PART IIIII

Sec. IIIII-1. Opioid diversion prevention grant. The Department of Health and Human Services shall establish criteria for a grant to be awarded to a provider of services that alert dispensers or prescribers, as those terms are defined in the Maine Revised Statutes, Title 22, section 7246, subsections 2 and 5, respectively, to the drug-related criminal background of patients and shall award the grant to the applicant most closely fitting those criteria.

PART JJJJJJ

Sec. JJJJJJ-1. Transfer of Personal Services balances to All Other; Office for Family Independence program; Office for Family Independence - District program. Notwithstanding any other provision of law to the contrary, in fiscal years 2017-18 and 2018-19 only, the Department of Health and Human Services is authorized to transfer available balances of Personal Services appropriations in the Office for Family Independence program and the Office for Family Independence - District program, after all financial commitments for salary, benefit and other obligations and budgetary adjustments have been made, to the All Other line category in either the Office for Family Independence program or the Office for Family Independence - District program in order to provide funding for information technology and related services. These amounts may be transferred by financial order upon the recommendation of the State Budget Officer and approval of the Governor. These transfers are not considered adjustments to appropriations.

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PART KKKKKK

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PART LLLLLL

Sec. LLLLLL-1. Increase in fees for testing weighing and measuring devices. The Commissioner of Agriculture, Conservation and Forestry shall adjust the fees for testing weighing and measuring devices pursuant to the Maine Revised Statutes, Title 10, section 2701, in a manner considered most appropriate by the commissioner, to generate additional undedicated revenue to the General Fund of \$100,000 annually, beginning in fiscal year 2017-18.

PART MMMMMM

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PART PPPPPP

Sec. PPPPPP-1. 12 MRSA §1802, as amended by PL 2007, c. 240, Pt. NN, §1; PL 2011, c. 657, Pt. W, §§5 and 7; and PL 2013, c. 405, Pt. A, §24, is further amended to read:

§1802. Bureau of Parks and Lands established

There is established within the Department of Agriculture, Conservation and Forestry the Bureau of Parks and Lands, which shall carry out the responsibilities of State Government relating to parks, historic sites, submerged and intertidal lands, public reserved lands and nonreserved public lands. ~~The bureau shall also carry out all the duties relating to recreation, the Allagash Wilderness Waterway, the Snowmobile Trail Fund, public facilities for boats, the ATV Recreational Management Fund, the Maine Trails System, the Maine Conservation Corps, the State Environmental Resource Volunteer Effort Program and any other responsibilities of the former Bureau of Parks and Recreation, Bureau of Public Lands and Maine State Park and Recreation Commission.~~

~~The executive head of the bureau is the director. The director is assisted in executive duties by a deputy director. The director and the deputy director shall attend personally~~

1 ~~to the duties of their offices as far as practicable. The director and the deputy director are~~
2 ~~appointed by and serve at the pleasure of the commissioner.~~

3 **1. Director.** The executive head of the bureau is the director.

4 A. The powers and duties of the position of director may not be combined with any
5 other position within the bureau or department.

6 B. The position of director may not be filled in an acting capacity; the appointee
7 must be a permanent full-time employee.

8 **2. Deputy director.** The director is assisted in executive duties by a deputy director.

9 **3. Personal attendance to duties.** The director and the deputy director shall attend
10 personally to the duties of their offices as far as practicable.

11 **4. Appointment.** The director and the deputy director are appointed by and serve at
12 the pleasure of the commissioner.

13 **PART QQQQQQ**

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15 **PART RRRRRR**

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17 **PART SSSSSS**

18 **Sec. SSSSSS-1. 22 MRSA §3174-T, sub-§2, ¶C,** as reallocated by RR 1997, c.
19 2, §46, is amended to read:

20 C. All children resident in the State are eligible except a child who:

21 (1) Is eligible for coverage under the Medicaid program;

22 (2) Is covered under a group health insurance plan or under health insurance, as
23 defined in Section 2791 of the federal Public Health Service Act, 42 United
24 States Code, Section 300gg(c) (Supp. 1997);

25 ~~(3) Is a member of a family that is eligible under Title 5, section 285 for health~~
26 ~~coverage under the state employee health insurance program;~~

27 (4) Is an inmate in a public institution or a patient in an institution for mental
28 diseases; or

29 (5) Within the 3 months prior to application for coverage under the Cub Care
30 program, was insured or otherwise provided coverage under an employer-based
31 health plan for which the employer paid 50% or more of the cost for the child's
32 coverage, except that this subparagraph does not apply if:

33 (a) The cost to the employee of coverage for the family exceeds 10% of the
34 family's income;

- 1 (b) The parent lost coverage for the child because of a change in
- 2 employment, termination of coverage under the Consolidated Omnibus
- 3 Budget Reconciliation Act of 1985, COBRA, of the Employee Retirement
- 4 Income Security Act of 1974, as amended, 29 United States Code, Sections
- 5 1161 to 1168 (Supp. 1997) or termination for a reason not in the control of
- 6 the employee; or
- 7 (c) The department has determined that grounds exist for a good-cause
- 8 exception.

9 **PART TTTTTT**

10 **Sec. TTTTTT-1. Adjustment of salary schedules for fiscal year 2017-18.**
11 Beginning the pay week commencing closest to August 1, 2017, the salary schedules,
12 grades and stipends for the Judicial Department employees in the administrative services
13 bargaining unit, the supervisory services bargaining unit, the law enforcement bargaining
14 unit and the professional services bargaining unit must be adjusted according to the
15 respective collective bargaining agreements. The salary schedules, grades and stipends
16 must be adjusted consistent with the terms of any tentative agreements ratified prior to
17 September 30, 2017.

18 **Sec. TTTTTT-2. Adjustment of salary schedules beginning January 1,**
19 **2019.** Beginning the pay week commencing closest to January 1, 2019, the salary
20 schedules, grades and stipends for the Judicial Department employees in the
21 administrative services bargaining unit, the supervisory services bargaining unit, the law
22 enforcement bargaining unit and the professional services bargaining unit must be
23 adjusted according to the respective collective bargaining agreements. The salary
24 schedules, grades and stipends must be adjusted consistent with the terms of any tentative
25 agreements ratified prior to September 30, 2017.

26 **Sec. TTTTTT-3. Other employees; similar and equitable treatment.**
27 Employees of the Judicial Department who are excluded from collective bargaining
28 pursuant to the Maine Revised Statutes, Title 26, section 1282, subsection 5, paragraphs
29 B, C, D, E, F and G must be given treatment similar and equitable on a pro rata basis to
30 that given employees covered by the collective bargaining agreements.

31 **Sec. TTTTTT-4. Costs to General Fund.** Costs to the General Fund must be
32 provided in the Salary Plan program, General Fund account in the Department of
33 Administrative and Financial Services in the amount up to \$1,247,177 for the fiscal year
34 ending June 30, 2018 and in the amount up to \$2,657,895 for the fiscal year ending June
35 30, 2019 to implement the economic terms of the collective bargaining agreements made
36 between the Judicial Department and the Maine State Employees Association for the
37 administrative services bargaining unit, the supervisory services bargaining unit, the law
38 enforcement bargaining unit and the professional services bargaining unit and for the
39 costs of those Judicial Department employees referred to in section 3, who are excluded
40 from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 1282,
41 subsection 5. Positions supported from sources of funding other than the General Fund
42 must be funded from those other sources.

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PART ZZZZZZ

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

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF
Accident - Sickness - Health Insurance 0455**

Initiative: Deappropriates and deallocates funds for savings achieved through transferring children from the state employee health plan to the State Children's Health Insurance Program.

GENERAL FUND	2017-18	2018-19
All Other	(\$784,935)	(\$1,046,580)
GENERAL FUND TOTAL	<u>(\$784,935)</u>	<u>(\$1,046,580)</u>

HIGHWAY FUND	2017-18	2018-19
All Other	(\$23,684)	(\$31,578)
HIGHWAY FUND TOTAL	<u>(\$23,684)</u>	<u>(\$31,578)</u>

Central Administrative Applications Z234

Initiative: Deappropriates funds provided in Part A of this Act for the incremental contractual increases in maintaining the State's finance and accounting system.

GENERAL FUND	2017-18	2018-19
All Other	\$0	(\$300,000)
GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$300,000)</u>

Debt Service - Government Facilities Authority 0893

Initiative: Deappropriates funds to offset an appropriation contained in Part A of this Act related to funding for annual principal and interest payments on funds borrowed in support of capital construction and renovation of state facilities.

1	GENERAL FUND	2017-18	2018-19
2	All Other	\$0	(\$3,300,000)
3			
4	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$3,300,000)</u>

5 **Debt Service - Government Facilities Authority 0893**

6 Initiative: Deappropriates funds to partially offset an appropriation contained in Part A of
7 this Act related to debt service for the capital construction, repairs and improvements for
8 the Department of Corrections pursuant to the Maine Revised Statutes, Title 4, section
9 1610-I.

10	GENERAL FUND	2017-18	2018-19
11	All Other	(\$367,457)	\$0
12			
13	GENERAL FUND TOTAL	<u>(\$367,457)</u>	<u>\$0</u>

14 **Homestead Property Tax Exemption Reimbursement 0886**

15 Initiative: Appropriates funds to partially offset a deappropriation included in Part A of
16 this Act to reflect a homestead property tax exemption of \$20,000 and a state
17 reimbursement of 50% effective April 1, 2017 and \$20,000 with a state reimbursement
18 of 62.5% effective April 1, 2018.

19	GENERAL FUND	2017-18	2018-19
20	All Other	\$10,450,000	\$25,100,000
21			
22	GENERAL FUND TOTAL	<u>\$10,450,000</u>	<u>\$25,100,000</u>

23 **Information Services 0155**

24 Initiative: Adjusts funding to offset an initiative contained in Part B of this Act related to
25 reclassifications.

26	OFFICE OF INFORMATION SERVICES FUND	2017-18	2018-19
27	Personal Services	\$64,170	\$70,298
28	All Other	(\$64,170)	(\$70,298)
29			
30	OFFICE OF INFORMATION SERVICES FUND	<u>\$0</u>	<u>\$0</u>
31	TOTAL		

32 **Information Services 0155**

33 Initiative: Adjusts funding contained in Part A of this Act to offset the transfer of all
34 positions and All Other funding from the Federal Expenditures Fund, Other Special
35 Revenue Funds and the Office of Information Services Fund in the Department of

1 Administrative and Financial Services, Information Services program to the Federal
2 Expenditures Fund, Other Special Revenue Funds and the Office of Information Services
3 Fund in the new Department of Technology Services, Technology Services program.
4 Position detail is on file in the Bureau of the Budget.

5	FEDERAL EXPENDITURES FUND	2017-18	2018-19
6	All Other	\$500	\$500
7			
8	FEDERAL EXPENDITURES FUND TOTAL	<u>\$500</u>	<u>\$500</u>

9	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
10	All Other	\$500	\$500
11			
12	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$500</u>	<u>\$500</u>

13	OFFICE OF INFORMATION SERVICES FUND	2017-18	2018-19
14	POSITIONS - LEGISLATIVE COUNT	475,500	475,500
15	Personal Services	\$47,736,567	\$48,801,411
16	All Other	\$7,535,440	\$7,535,440
17			
18	OFFICE OF INFORMATION SERVICES FUND	<u>\$55,272,007</u>	<u>\$56,336,851</u>
19	TOTAL		

20 **Information Services 0155**

21 Initiative: Provides funding for annual principal and interest payments on funds borrowed
22 in support of state technology infrastructure improvements and system purchases and
23 enhancements.

24	GENERAL FUND	2017-18	2018-19
25	All Other	\$220,000	\$4,700,000
26			
27	GENERAL FUND TOTAL	<u>\$220,000</u>	<u>\$4,700,000</u>

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

29 Initiative: Deappropriates funds to partially offset an appropriation contained in Part A of
30 this Act related to funding for repairs to state facilities.

1	GENERAL FUND	2017-18	2018-19
2	All Other	(\$1,000,000)	(\$1,000,000)
3			
4	GENERAL FUND TOTAL	<u>(\$1,000,000)</u>	<u>(\$1,000,000)</u>

5 **Revenue Services, Bureau of 0002**

6 Initiative: Deappropriates funds to offset a portion of an appropriation contained in Part A
7 of this Act that provides funding for projected increases in cybersecurity costs.

8	GENERAL FUND	2017-18	2018-19
9	All Other	\$0	(\$200,000)
10			
11	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$200,000)</u>

12 **Statewide Radio Network System 0112**

13 Initiative: Appropriates funds to offset a deappropriation contained in Part A of this Act
14 related to the transfer of All Other funding from the Department of Administrative and
15 Financial Services, Statewide Radio Network System program to the Department of
16 Technology Services, Statewide Radio Network System program.

17	GENERAL FUND	2017-18	2018-19
18	All Other	\$6,699,151	\$6,699,151
19			
20	GENERAL FUND TOTAL	<u>\$6,699,151</u>	<u>\$6,699,151</u>

21 **ADMINISTRATIVE AND FINANCIAL**
22 **SERVICES, DEPARTMENT OF**
23 **DEPARTMENT TOTALS**

23		2017-18	2018-19
24			
25	GENERAL FUND	\$15,216,759	\$30,652,571
26	HIGHWAY FUND	(\$23,684)	(\$31,578)
27	FEDERAL EXPENDITURES FUND	\$500	\$500
28	OTHER SPECIAL REVENUE FUNDS	\$500	\$500
29	OFFICE OF INFORMATION SERVICES FUND	\$55,272,007	\$56,336,851
30			
31	DEPARTMENT TOTAL - ALL FUNDS	<u>\$70,466,082</u>	<u>\$86,958,844</u>

32 **Sec. ZZZZZZ-2. Appropriations and allocations.** The following
33 appropriations and allocations are made.

34 **AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**
35 **Division of Quality Assurance and Regulation 0393**

1 Initiative: Provides funding for one additional seed potato inspector position.

2	GENERAL FUND	2017-18	2018-19
3	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
4	Personal Services	\$67,024	\$70,200
5			
6	GENERAL FUND TOTAL	<u>\$67,024</u>	<u>\$70,200</u>

7 **Division of Quality Assurance and Regulation 0393**

8 Initiative: Deallocates funds to offset a portion of allocations contained in Part A of this
9 Act that provide funding to the Agriculture Promotion Fund.

10	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
11	All Other	(\$2,000,000)	(\$2,000,000)
12			
13	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$2,000,000)</u>	<u>(\$2,000,000)</u>

14 **Forest Health and Monitoring Z233**

15 Initiative: Deappropriates and deallocates funds to offset appropriations and allocations
16 contained in Part A of this Act that reorganize one vacant Senior Planner position to a
17 Planning and Research Associate I position and transfer and reallocate the position from
18 100% Other Special Revenue Funds in the Land Management and Planning program to
19 50% General Fund and 50% Federal Expenditures Fund in the Forest Health and
20 Monitoring program.

21	GENERAL FUND	2017-18	2018-19
22	POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
23	Personal Services	(\$34,437)	(\$36,208)
24			
25	GENERAL FUND TOTAL	<u>(\$34,437)</u>	<u>(\$36,208)</u>

26	FEDERAL EXPENDITURES FUND	2017-18	2018-19
27	Personal Services	(\$34,431)	(\$36,204)
28	All Other	(\$890)	(\$936)
29			
30	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$35,321)</u>	<u>(\$37,140)</u>

31 **Land Management and Planning Z239**

32 Initiative: Allocates funds to offset deallocations contained in Part A of this Act that
33 reorganizes one vacant Senior Planner position to a Planning and Research Associate I
34 position and transfers and reallocates the position from 100% Other Special Revenue

1 Funds in the Land Management and Planning program to 50% General Fund and 50%
2 Federal Expenditures Fund in the Forest Health and Monitoring program.

3	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
4	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
5	Personal Services	\$82,159	\$86,057
6	All Other	\$3,090	\$3,237
7			
8	OTHER SPECIAL REVENUE FUNDS TOTAL	\$85,249	\$89,294

9 **Municipal Planning Assistance Z161**

10 Initiative: Appropriates and allocates funds to offset deappropriations and deallocations
11 contained in Part A of this Act that reduces funding for municipal assistance grants.

12	GENERAL FUND	2017-18	2018-19
13	All Other	\$159,549	\$159,549
14			
15	GENERAL FUND TOTAL	\$159,549	\$159,549

16	FEDERAL EXPENDITURES FUND	2017-18	2018-19
17	All Other	\$100,000	\$100,000
18			
19	FEDERAL EXPENDITURES FUND TOTAL	\$100,000	\$100,000

20 **Parks - General Operations Z221**

21 Initiative: Increases funding for capital improvements to ensure roads, bridges, dams and
22 buildings are safe for staff and public recreation in the Allagash Wilderness Waterway in
23 fiscal year 2017-18 and fiscal year 2018-19.

24	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
25	All Other	\$15,000	\$15,000
26			
27	OTHER SPECIAL REVENUE FUNDS TOTAL	\$15,000	\$15,000

1	AGRICULTURE, CONSERVATION AND		
2	FORESTRY, DEPARTMENT OF		
3	DEPARTMENT TOTALS	2017-18	2018-19
4			
5	GENERAL FUND	\$192,136	\$193,541
6	FEDERAL EXPENDITURES FUND	\$64,679	\$62,860
7	OTHER SPECIAL REVENUE FUNDS	(\$1,899,751)	(\$1,895,706)
8			
9	DEPARTMENT TOTAL - ALL FUNDS	(\$1,642,936)	(\$1,639,305)

10 **Sec. ZZZZZZ-3.** This section left blank intentionally.

11 **Sec. ZZZZZZ-4.** This section left blank intentionally.

12 **Sec. ZZZZZZ-5.** This section left blank intentionally.

13 **Sec. ZZZZZZ-6.** This section left blank intentionally.

14 **Sec. ZZZZZZ-7.** This section left blank intentionally.

15 **Sec. ZZZZZZ-8.** This section left blank intentionally.

16 **Sec. ZZZZZZ-9.** This section left blank intentionally.

17 **Sec. ZZZZZZ-10.** This section left blank intentionally.

18 **Sec. ZZZZZZ-11. Appropriations and allocations.** The following
19 appropriations and allocations are made.

20 **COMMUNITY COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE**

21 **Bring College to ME Program Z168**

22 Initiative: Appropriates funds to offset a deappropriation contained in Part A of this Act
23 that reduces funding for the Bring College to ME Program in fiscal year 2018-19.

24	GENERAL FUND	2017-18	2018-19
25	All Other	\$0	\$320,000
26			
27	GENERAL FUND TOTAL	\$0	\$320,000

28 **Bring College to ME Program Z168**

29 Initiative: Transfers funding from the Bring College to ME Program to the Maine
30 Community College System - Board of Trustees program in fiscal year 2017-18.

31	GENERAL FUND	2017-18	2018-19
32	All Other	\$0	(\$320,000)
33			
34	GENERAL FUND TOTAL	\$0	(\$320,000)

1 **Maine Community College System - Board of Trustees 0556**

2 Initiative: Provides additional one-time funds to continue current operations at Maine's 7
3 community colleges.

4	GENERAL FUND	2017-18	2018-19
5	All Other	\$0	\$3,180,000
6			
7	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$3,180,000</u>

8 **Maine Community College System - Board of Trustees 0556**

9 Initiative: Provides additional one-time funding for strategic initiatives related to
10 occupational programming and statewide workforce development in fiscal years 2017-18
11 and 2018-19.

12	GENERAL FUND	2017-18	2018-19
13	All Other	\$100,000	\$1,300,000
14			
15	GENERAL FUND TOTAL	<u>\$100,000</u>	<u>\$1,300,000</u>

16 **Maine Community College System - Board of Trustees 0556**

17 Initiative: Transfers funding from the Bring College to ME Program to the Maine
18 Community College System - Board of Trustees program in fiscal year 2017-18.

19	GENERAL FUND	2017-18	2018-19
20	All Other	\$0	\$320,000
21			
22	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$320,000</u>

23 **COMMUNITY COLLEGE SYSTEM, BOARD OF**
24 **TRUSTEES OF THE MAINE**

25	DEPARTMENT TOTALS	2017-18	2018-19
26			
27	GENERAL FUND	\$100,000	\$4,800,000
28			
29	DEPARTMENT TOTAL - ALL FUNDS	<u>\$100,000</u>	<u>\$4,800,000</u>

30 **Sec. ZZZZZZ-12.** This section left blank intentionally.

31 **Sec. ZZZZZZ-13. Appropriations and allocations.** The following
32 appropriations and allocations are made.

1 **CORRECTIONS, DEPARTMENT OF**

2 **Adult Community Corrections 0124**

3 Initiative: Deappropriates funds to offset an appropriation contained in Part A of this Act
4 that provides funding for electronic monitoring of 150 inmates.

5	GENERAL FUND	2017-18	2018-19
6	Personal Services	(\$91,140)	(\$95,348)
7	All Other	(\$328,500)	(\$328,500)
8			
9	GENERAL FUND TOTAL	<u>(\$419,640)</u>	<u>(\$423,848)</u>

10 **Correctional Medical Services Fund 0286**

11 Initiative: Deappropriates funds to partially offset an appropriation contained in Part A of
12 this Act for the medical contract.

13	GENERAL FUND	2017-18	2018-19
14	All Other	\$0	(\$814,928)
15			
16	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$814,928)</u>

17 **Juvenile Community Corrections 0892**

18 Initiative: Transfers 3 Juvenile Community Reintegration Specialist positions to the Long
19 Creek Youth Development Center program.

20	GENERAL FUND	2017-18	2018-19
21	POSITIONS - LEGISLATIVE COUNT	(3.000)	(3.000)
22	Personal Services	(\$250,599)	(\$259,995)
23			
24	GENERAL FUND TOTAL	<u>(\$250,599)</u>	<u>(\$259,995)</u>

25 **Juvenile Community Corrections 0892**

26 Initiative: Appropriates funds to offset a deappropriation contained in Part A of this Act
27 related to eliminating 5 Juvenile Community Reintegration Specialist positions, one
28 Office Associate II position and one part-time Office Associate II position.

29	GENERAL FUND	2017-18	2018-19
30	POSITIONS - LEGISLATIVE COUNT	6.500	6.500
31	Personal Services	\$510,570	\$527,803
32			
33	GENERAL FUND TOTAL	<u>\$510,570</u>	<u>\$527,803</u>

1 **Long Creek Youth Development Center 0163**

2 Initiative: Transfers 3 Juvenile Community Reintegration Specialist positions from the
3 Juvenile Community Corrections program and provides funds to reclassify these positions
4 to Acuity Specialist positions.

5	GENERAL FUND	2017-18	2018-19
6	POSITIONS - LEGISLATIVE COUNT	3.000	3.000
7	Personal Services	\$289,800	\$300,570
8			
9	GENERAL FUND TOTAL	<u>\$289,800</u>	<u>\$300,570</u>

10 **Long Creek Youth Development Center 0163**

11 Initiative: Appropriates funds to offset a deappropriation contained in Part A of this Act
12 that proposes to eliminate 6 Teacher MS Juvenile positions, 4 Teacher BS Juvenile
13 positions and one Assistant Principal position.

14	GENERAL FUND	2017-18	2018-19
15	POSITIONS - LEGISLATIVE COUNT	11.000	11.000
16	Personal Services	\$1,019,764	\$1,057,942
17			
18	GENERAL FUND TOTAL	<u>\$1,019,764</u>	<u>\$1,057,942</u>

19	CORRECTIONS, DEPARTMENT OF		
20	DEPARTMENT TOTALS	2017-18	2018-19
21			
22	GENERAL FUND	\$1,149,895	\$387,544
23			
24	DEPARTMENT TOTAL - ALL FUNDS	<u>\$1,149,895</u>	<u>\$387,544</u>

25 **Sec. ZZZZZZ-14.** This section left blank intentionally.

26 **Sec. ZZZZZZ-15. Appropriations and allocations.** The following
27 appropriations and allocations are made.

28 **CULTURAL AFFAIRS COUNCIL, MAINE STATE**

29 **New Century Program Fund 0904**

30 Initiative: Deappropriates funds to offset an appropriation in Part A of this Act that
31 provides additional funds in fiscal year 2017-18 and fiscal year 2018-19 only for the
32 planning and preparation for the State of Maine Bicentennial Celebration.

1	GENERAL FUND	2017-18	2018-19
2	All Other	(\$500,000)	(\$500,000)
3			
4	GENERAL FUND TOTAL	<u>(\$500,000)</u>	<u>(\$500,000)</u>

5 **Sec. ZZZZZZ-16.** This section left blank intentionally.

6 **Sec. ZZZZZZ-17.** This section left blank intentionally.

7 **Sec. ZZZZZZ-18.** This section left blank intentionally.

8 **Sec. ZZZZZZ-19.** This section left blank intentionally.

9 **Sec. ZZZZZZ-20.** This section left blank intentionally.

10 **Sec. ZZZZZZ-21. Appropriations and allocations.** The following
11 appropriations and allocations are made.

12 **ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF**
13 **Applied Technology Development Center System 0929**

14 Initiative: Appropriates funds to partially offset deappropriations contained in Part A of
15 this Act that reduce All Other funding on a one-time basis to offset Personal Services
16 increases in the General Fund.

17	GENERAL FUND	2017-18	2018-19
18	All Other	\$100,000	\$100,000
19			
20	GENERAL FUND TOTAL	<u>\$100,000</u>	<u>\$100,000</u>

21 **Community Development Block Grant Program 0587**

22 Initiative: Reverses funding that is provided in Part A of this Act to reorganize one
23 Planner II position to a Development Program Manager position and transfer and
24 reallocate the cost of the position from 75% Federal Block Grant Fund and 25% General
25 Fund to 75% Other Special Revenue Funds and 25% General Fund within the same
26 program and provide funding for related All Other costs. Also reverses the transfers
27 included in Part A of this Act from All Other to Personal Services in the General Fund to
28 fund the position changes.

29	GENERAL FUND	2017-18	2018-19
30	Personal Services	(\$1,541)	(\$2,234)
31	All Other	\$1,541	\$2,234
32			
33	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$0</u>

1	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
2	POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
3	Personal Services	(\$63,539)	(\$66,709)
4	All Other	(\$36,098)	(\$36,098)
5			
6	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$99,637)</u>	<u>(\$102,807)</u>
7	FEDERAL BLOCK GRANT FUND	2017-18	2018-19
8	POSITIONS - LEGISLATIVE COUNT	1,000	1,000
9	Personal Services	\$58,913	\$60,007
10			
11	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$58,913</u>	<u>\$60,007</u>

12 **Fund for Efficient Delivery of Local & Regional Svcs Z254**

13 Initiative: Deappropriates funds in fiscal years 2017-18 and 2018-19 to offset
14 appropriations contained in Part A of this Act that provide one-time funding to encourage
15 regional planning and reorganization for towns and municipalities to decrease the
16 duplication of services.

17	GENERAL FUND	2017-18	2018-19
18	All Other	(\$2,000,000)	(\$5,000,000)
19			
20	GENERAL FUND TOTAL	<u>(\$2,000,000)</u>	<u>(\$5,000,000)</u>

21 **Office of Broadband Development Z245**

22 Initiative: Deallocates funds to offset allocations contained in Part A of this Act to
23 transfer funding from the Municipal Gigabit Broadband Network Access Fund program,
24 Other Special Revenue Funds in the ConnectME Authority to the Office of Broadband
25 Development program, Other Special Revenue Funds in the Department of Economic and
26 Community Development as part of the reorganization of the ConnectME Authority.

27	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
28	All Other	(\$500)	(\$500)
29			
30	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$500)</u>	<u>(\$500)</u>

31 **Office of Tourism 0577**

32 Initiative: Adjusts allocations to reflect revenue changes associated with increasing the
33 sales tax on lodging from 9% to 10.5%.

1	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
2	All Other	\$0	\$250,150
3			
4	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$250,150</u>

5	ECONOMIC AND COMMUNITY		
6	DEVELOPMENT, DEPARTMENT OF		
7	DEPARTMENT TOTALS	2017-18	2018-19
8			
9	GENERAL FUND	(\$1,900,000)	(\$4,900,000)
10	OTHER SPECIAL REVENUE FUNDS	(\$100,137)	\$146,843
11	FEDERAL BLOCK GRANT FUND	\$58,913	\$60,007
12			
13	DEPARTMENT TOTAL - ALL FUNDS	<u>(\$1,941,224)</u>	<u>(\$4,693,150)</u>

14 **Sec. ZZZZZZ-22. Appropriations and allocations.** The following
15 appropriations and allocations are made.

16 **EDUCATION, DEPARTMENT OF**

17 **Fund for the Efficient Delivery of Educational Services Z005**

18 Initiative: Deallocates funds to offset allocations contained in Part A of this Act that
19 provide one-time funding for consolidation of school administrative units.

20	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
21	All Other	\$0	(\$5,000,000)
22			
23	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>(\$5,000,000)</u>

24 **General Purpose Aid for Local Schools 0308**

25 Initiative: Provides additional funding for kindergarten to grade 12 public education
26 beginning in fiscal year 2017-18.

27	GENERAL FUND	2017-18	2018-19
28	All Other	\$31,700,000	\$18,600,000
29			
30	GENERAL FUND TOTAL	<u>\$31,700,000</u>	<u>\$18,600,000</u>

31 **Learning Systems Team Z081**

32 Initiative: Establishes one Public Service Coordinator I position to meet data collection
33 and reporting needs related to the federal Every Student Succeeds Act.

1	FEDERAL EXPENDITURES FUND	2017-18	2018-19
2	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
3	Personal Services	\$97,375	\$102,170
4			
5	FEDERAL EXPENDITURES FUND TOTAL	<u>\$97,375</u>	<u>\$102,170</u>

6 **National Board Certification Salary Supplement Fund Z147**

7 Initiative: Allocates funds to offset deallocations contained in Part A of this Act that
8 eliminate funding for the National Board Certification Salary Supplement Fund program.
9 Also reverses \$335,000 of General Fund undedicated revenue in each fiscal year of the
10 2018-2019 biennium.

11	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
12	All Other	\$335,000	\$335,000
13			
14	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$335,000</u>	<u>\$335,000</u>

15	EDUCATION, DEPARTMENT OF		
16	DEPARTMENT TOTALS	2017-18	2018-19
17			
18	GENERAL FUND	\$31,700,000	\$18,600,000
19	FEDERAL EXPENDITURES FUND	\$97,375	\$102,170
20	OTHER SPECIAL REVENUE FUNDS	\$335,000	(\$4,665,000)
21			
22	DEPARTMENT TOTAL - ALL FUNDS	<u>\$32,132,375</u>	<u>\$14,037,170</u>

23 **Sec. ZZZZZZ-23.** This section left blank intentionally.

24 **Sec. ZZZZZZ-24.** This section left blank intentionally.

25 **Sec. ZZZZZZ-25.** This section left blank intentionally.

26 **Sec. ZZZZZZ-26.** This section left blank intentionally.

27 **Sec. ZZZZZZ-27. Appropriations and allocations.** The following
28 appropriations and allocations are made.

29 **EXECUTIVE DEPARTMENT**

30 **Governor's Legal Defense Fund N265**

31 Initiative: Deappropriates funds to offset an appropriation contained in Part A of this Act
32 related to funding for legal contingencies for which the Attorney General declines to
33 represent the State.

1	GENERAL FUND	2017-18	2018-19
2	All Other	(\$500,000)	(\$500,000)
3			
4	GENERAL FUND TOTAL	<u>(\$500,000)</u>	<u>(\$500,000)</u>

5 **Sec. ZZZZZZ-28.** This section left blank intentionally.

6 **Sec. ZZZZZZ-29.** This section left blank intentionally.

7 **Sec. ZZZZZZ-30.** This section left blank intentionally.

8 **Sec. ZZZZZZ-31.** This section left blank intentionally.

9 **Sec. ZZZZZZ-32.** This section left blank intentionally.

10 **Sec. ZZZZZZ-33.** This section left blank intentionally.

11 **Sec. ZZZZZZ-34. Appropriations and allocations.** The following
12 appropriations and allocations are made.

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

14 **Developmental Services Waiver - MaineCare 0987**

15 Initiative: Provides appropriations to increase the rates provided for home-based and
16 community-based care for individuals with intellectual disabilities or autism spectrum
17 disorder as required in Part MMMMMMM, section 2 of this Act.

18	GENERAL FUND	2017-18	2018-19
19	All Other	\$9,909,714	\$0
20			
21	GENERAL FUND TOTAL	<u>\$9,909,714</u>	<u>\$0</u>

22 **Developmental Services Waiver - Supports Z006**

23 Initiative: Provides appropriations to increase the rates provided for home-based and
24 community-based care for individuals with intellectual disabilities or autism spectrum
25 disorder as required in Part MMMMMMM, section 2 of this Act.

26	GENERAL FUND	2017-18	2018-19
27	All Other	\$1,340,286	\$0
28			
29	GENERAL FUND TOTAL	<u>\$1,340,286</u>	<u>\$0</u>

30 **Medicaid Services - Developmental Services 0705**

31 Initiative: Provides allocations to increase the rates provided for home-based and
32 community-based care for individuals with intellectual disabilities or autism spectrum
33 disorder as required in Part MMMMMMM, section 2 of this Act.

1	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
2	All Other	\$2,276,560	\$0
3			
4	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$2,276,560</u>	<u>\$0</u>

5	HEALTH AND HUMAN SERVICES,		
6	DEPARTMENT OF (FORMERLY BDS)		
7	DEPARTMENT TOTALS	2017-18	2018-19
8			
9	GENERAL FUND	\$11,250,000	\$0
10	OTHER SPECIAL REVENUE FUNDS	\$2,276,560	\$0
11			
12	DEPARTMENT TOTAL - ALL FUNDS	<u>\$13,526,560</u>	<u>\$0</u>

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

14 **Additional Support for People in Retraining and Employment 0146**

15 Initiative: Provides funding to provide Temporary Assistance for Needy Families, TANF,
16 program benefits and alternative aid benefits to 2-parent families and to increase from
17 \$200 to \$300 the special housing allowance for families receiving TANF program
18 benefits.

19	FEDERAL BLOCK GRANT FUND	2017-18	2018-19
20	All Other	\$835,215	\$1,113,620
21			
22	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$835,215</u>	<u>\$1,113,620</u>

23 **Developmental Services - Community Z208**

24 Initiative: Eliminates one Public Service Coordinator II position from the Developmental
25 Services - Community program within the Department of Health and Human Services
26 and reduces funding for related All Other.

27	GENERAL FUND	2017-18	2018-19
28	POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
29	Personal Services	(\$88,682)	(\$92,388)
30	All Other	(\$6,286)	(\$6,286)
31			
32	GENERAL FUND TOTAL	<u>(\$94,968)</u>	<u>(\$98,674)</u>

33 **Developmental Services - Community Z208**

1 Initiative: Reinstates 11 Human Services Caseworker positions and 2 MH & DD
2 Caseworker positions in the Developmental Services - Community program to offset their
3 eliminations in Part A of this Act.

4	GENERAL FUND	2017-18	2018-19
5	POSITIONS - LEGISLATIVE COUNT	13.000	13.000
6	Personal Services	\$964,902	\$1,001,638
7	All Other	\$93,343	\$93,628
8			
9	GENERAL FUND TOTAL	<u>\$1,058,245</u>	<u>\$1,095,266</u>

10 **Division of Contract Management Z035**

11 Initiative: Eliminates one Counsel position from the Division of Contract Management
12 within the Department of Health and Human Services and reduces funding for related All
13 Other.

14	GENERAL FUND	2017-18	2018-19
15	POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
16	Personal Services	(\$59,548)	(\$60,976)
17	All Other	(\$4,149)	(\$4,149)
18			
19	GENERAL FUND TOTAL	<u>(\$63,697)</u>	<u>(\$65,125)</u>

20	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
21	Personal Services	(\$30,678)	(\$31,412)
22	All Other	(\$2,137)	(\$2,137)
23			
24	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$32,815)</u>	<u>(\$33,549)</u>

25 **Division of Licensing and Regulatory Services Z036**

26 Initiative: Eliminates one General Counsel position from the Division of Licensing and
27 Regulatory Services within the Department of Health and Human Services and reduces
28 funding for related All Other.

29	GENERAL FUND	2017-18	2018-19
30	Personal Services	(\$36,673)	(\$36,908)
31	All Other	(\$2,200)	(\$2,200)
32			
33	GENERAL FUND TOTAL	<u>(\$38,873)</u>	<u>(\$39,108)</u>

1	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
2	POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
3	Personal Services	(\$68,108)	(\$68,540)
4	All Other	(\$4,086)	(\$4,086)
5			
6	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$72,194)</u>	<u>(\$72,626)</u>

7 **General Assistance - Reimbursement to Cities and Towns 0130**

8 Initiative: Appropriates funds to offset deappropriations in Part A of this Act that reduce
 9 funding in the general assistance program for a person who has exhausted the 60-month
 10 lifetime limit on Temporary Assistance for Needy Families program benefits and is
 11 therefore ineligible to receive municipal general assistance program benefits and for an
 12 applicant for general assistance who voluntarily abandons or refuses to use an available
 13 resource without just cause and is therefore ineligible to receive general assistance to
 14 replace the abandoned resource for a period of 120 days.

15	GENERAL FUND	2017-18	2018-19
16	All Other	\$351,000	\$351,000
17			
18	GENERAL FUND TOTAL	<u>\$351,000</u>	<u>\$351,000</u>

19 **Head Start 0545**

20 Initiative: Appropriates funds to offset deappropriations in Part A of this Act that reduce
 21 the appropriation in the Head Start program based on adequate federal funding provided
 22 for the services.

23	GENERAL FUND	2017-18	2018-19
24	All Other	\$1,194,458	\$1,194,458
25			
26	GENERAL FUND TOTAL	<u>\$1,194,458</u>	<u>\$1,194,458</u>

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

28 Initiative: Provides funding to increase rates for certain services as required in Part
 29 MMMMMMM, section 1 of this Act.

30	GENERAL FUND	2017-18	2018-19
31	All Other	\$724,788	\$0
32			
33	GENERAL FUND TOTAL	<u>\$724,788</u>	<u>\$0</u>

34 **Maine Center for Disease Control and Prevention 0143**

1 Initiative: Adjusts funding between the Maine Center for Disease Control and Prevention
2 program and the Medical Care - Payments to Providers program in the Fund for a Healthy
3 Maine.

4	FUND FOR A HEALTHY MAINE	2017-18	2018-19
5	All Other	(\$3,000,000)	(\$3,000,000)
6			
7	FUND FOR A HEALTHY MAINE TOTAL	<u>(\$3,000,000)</u>	<u>(\$3,000,000)</u>

8 **Maine Center for Disease Control and Prevention 0143**

9 Initiative: Adjusts funding between the Maine Center for Disease Control and Prevention
10 program and the Medical Care - Payments to Providers program in the Fund for a Healthy
11 Maine.

12	FUND FOR A HEALTHY MAINE	2017-18	2018-19
13	All Other	(\$2,000,000)	(\$2,000,000)
14			
15	FUND FOR A HEALTHY MAINE TOTAL	<u>(\$2,000,000)</u>	<u>(\$2,000,000)</u>

16 **Maine Center for Disease Control and Prevention 0143**

17 Initiative: Reinstates 5 Public Health Nurse I positions and one Public Health Nurse Supv
18 position in the Maine Center for Disease Control program to offset their eliminations in
19 Part A of this Act.

20	GENERAL FUND	2017-18	2018-19
21	POSITIONS - LEGISLATIVE COUNT	6.000	6.000
22	Personal Services	\$457,488	\$477,663
23	All Other	\$44,257	\$44,649
24			
25	GENERAL FUND TOTAL	<u>\$501,745</u>	<u>\$522,312</u>

26 **Maternal and Child Health 0191**

27 Initiative: Reinstates 2 Public Health Nurse II positions, one Public Health Nurse I
28 position and one Public Health Nurse Supv position in the Maternal and Child Health
29 program to offset their eliminations in Part A of this Act.

30	FEDERAL BLOCK GRANT FUND	2017-18	2018-19
31	POSITIONS - LEGISLATIVE COUNT	4.000	4.000
32	Personal Services	\$339,980	\$355,065
33	All Other	\$32,889	\$33,190
34			
35	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$372,869</u>	<u>\$388,255</u>

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

2 Initiative: Adjusts funding between the Maine Center for Disease Control and Prevention
3 program and the Medical Care - Payments to Providers program in the Fund for a Healthy
4 Maine.

5	GENERAL FUND	2017-18	2018-19
6	All Other	(\$3,000,000)	(\$3,000,000)
7			
8	GENERAL FUND TOTAL	<u>(\$3,000,000)</u>	<u>(\$3,000,000)</u>

9	FUND FOR A HEALTHY MAINE	2017-18	2018-19
10	All Other	\$3,000,000	\$3,000,000
11			
12	FUND FOR A HEALTHY MAINE TOTAL	<u>\$3,000,000</u>	<u>\$3,000,000</u>

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

14 Initiative: Adjusts funding between the Maine Center for Disease Control and Prevention
15 program and the Medical Care - Payments to Providers program in the Fund for a Healthy
16 Maine.

17	GENERAL FUND	2017-18	2018-19
18	All Other	(\$2,000,000)	(\$2,000,000)
19			
20	GENERAL FUND TOTAL	<u>(\$2,000,000)</u>	<u>(\$2,000,000)</u>

21	FUND FOR A HEALTHY MAINE	2017-18	2018-19
22	All Other	\$2,000,000	\$2,000,000
23			
24	FUND FOR A HEALTHY MAINE TOTAL	<u>\$2,000,000</u>	<u>\$2,000,000</u>

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

26 Initiative: Provides funding to allow children of state employees to be eligible for the
27 State Children's Health Insurance Program as long as they meet the other eligibility
28 requirements.

29	GENERAL FUND	2017-18	2018-19
30	All Other	\$36,946	\$49,513
31			
32	GENERAL FUND TOTAL	<u>\$36,946</u>	<u>\$49,513</u>

1	FEDERAL BLOCK GRANT FUND	2017-18	2018-19
2	All Other	\$1,857,718	\$2,476,705
3			
4	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$1,857,718</u>	<u>\$2,476,705</u>

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

6 Initiative: Adjusts funding as a result of the increase in the Federal Medical Assistance
7 Percentage for federal fiscal year 2017.

8	GENERAL FUND	2017-18	2018-19
9	All Other	(\$5,000,000)	(\$5,000,000)
10			
11	GENERAL FUND TOTAL	<u>(\$5,000,000)</u>	<u>(\$5,000,000)</u>

12	FEDERAL EXPENDITURES FUND	2017-18	2018-19
13	All Other	\$5,000,000	\$5,000,000
14			
15	FEDERAL EXPENDITURES FUND TOTAL	<u>\$5,000,000</u>	<u>\$5,000,000</u>

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

17 Initiative: Provides allocations to increase the rates provided for home-based and
18 community-based care for individuals with intellectual disabilities or autism spectrum
19 disorder as required in Part MMMMMMM, section 2 of this Act.

20	FEDERAL EXPENDITURES FUND	2017-18	2018-19
21	All Other	\$24,416,105	\$0
22			
23	FEDERAL EXPENDITURES FUND TOTAL	<u>\$24,416,105</u>	<u>\$0</u>

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

25 Initiative: Provides funding to increase rates for certain services as required in Part
26 MMMMMMM, Section 1 of this Act.

27	GENERAL FUND	2017-18	2018-19
28	All Other	\$2,275,212	\$0
29			
30	GENERAL FUND TOTAL	<u>\$2,275,212</u>	<u>\$0</u>

1	FEDERAL EXPENDITURES FUND	2017-18	2018-19
2	All Other	\$4,105,080	\$0
3			
4	FEDERAL EXPENDITURES FUND TOTAL	<u>\$4,105,080</u>	<u>\$0</u>

5 **Mental Health Services - Children Z206**

6 Initiative: Eliminates one Public Service Coordinator II position from the Mental Health
7 Services - Children program within the Department of Health and Human Services and
8 reduces funding for related All Other.

9	GENERAL FUND	2017-18	2018-19
10	POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
11	Personal Services	(\$109,379)	(\$113,963)
12	All Other	(\$6,286)	(\$6,286)
13			
14	GENERAL FUND TOTAL	<u>(\$115,665)</u>	<u>(\$120,249)</u>

15 **Mental Health Services - Community Z198**

16 Initiative: Eliminates one Public Service Coordinator II position from the Mental Health
17 Services - Community program within the Department of Health and Human Services
18 and reduces funding for related All Other.

19	GENERAL FUND	2017-18	2018-19
20	POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
21	Personal Services	(\$108,101)	(\$112,635)
22	All Other	(\$6,286)	(\$6,286)
23			
24	GENERAL FUND TOTAL	<u>(\$114,387)</u>	<u>(\$118,921)</u>

25 **Office of the Commissioner 0142**

26 Initiative: Eliminates one General Counsel position, one Public Service Coordinator II
27 position and one Director of Legislative Affairs position from the Office of the
28 Commissioner within the Department of Health and Human Services and reduces funding
29 for related All Other.

30	GENERAL FUND	2017-18	2018-19
31	POSITIONS - LEGISLATIVE COUNT	(3,000)	(3,000)
32	Personal Services	(\$224,216)	(\$230,962)
33	All Other	(\$11,315)	(\$11,315)
34			
35	GENERAL FUND TOTAL	<u>(\$235,531)</u>	<u>(\$242,277)</u>

1	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
2	Personal Services	(\$149,475)	(\$153,974)
3	All Other	(\$7,543)	(\$7,543)
4			
5	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$157,018)</u>	<u>(\$161,517)</u>

6 **Special Children's Services 0204**

7 Initiative: Reinstates one Public Health Nurse Consultant position in the Special
8 Children's Services program to offset its elimination in Part A of this Act.

9	FEDERAL BLOCK GRANT FUND	2017-18	2018-19
10	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
11	Personal Services	\$94,151	\$98,357
12	All Other	\$9,108	\$9,194
13			
14	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$103,259</u>	<u>\$107,551</u>

15 **Temporary Assistance for Needy Families 0138**

16 Initiative: Provides allocation for a pilot Working Cars for Families program.

17	FEDERAL BLOCK GRANT FUND	2017-18	2018-19
18	All Other	\$0	\$6,000,000
19			
20	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$0</u>	<u>\$6,000,000</u>

21 **Temporary Assistance for Needy Families 0138**

22 Initiative: Provides allocations to provide Temporary Assistance for Needy Families,
23 TANF, program benefits and alternative aid benefits to 2-parent families and to increase
24 from \$200 to \$300 the special housing allowance for families receiving TANF program
25 benefits.

26	FEDERAL BLOCK GRANT FUND	2017-18	2018-19
27	All Other	\$3,488,787	\$4,651,717
28			
29	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$3,488,787</u>	<u>\$4,651,717</u>

30 **Temporary Assistance for Needy Families 0138**

31 Initiative: Provides allocations to increase monthly benefits in the Temporary Assistance
32 for Needy Families program.

1	FEDERAL BLOCK GRANT FUND	2017-18	2018-19
2	All Other	\$5,191,636	\$5,198,645
3			
4	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$5,191,636</u>	<u>\$5,198,645</u>
5	Temporary Assistance for Needy Families 0138		
6	Initiative: Provides allocations in the Temporary Assistance for Needy Families program		
7	to provide heating assistance for low-income families with children.		
8	FEDERAL BLOCK GRANT FUND	2017-18	2018-19
9	All Other	\$3,000,000	\$3,000,000
10			
11	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$3,000,000</u>	<u>\$3,000,000</u>
12	Temporary Assistance for Needy Families 0138		
13	Initiative: Provides a one-time allocation for technology changes to the Automated Client		
14	Eligibility System.		
15	FEDERAL BLOCK GRANT FUND	2017-18	2018-19
16	All Other	\$100,881	\$0
17			
18	FEDERAL BLOCK GRANT FUND TOTAL	<u>\$100,881</u>	<u>\$0</u>
19	HEALTH AND HUMAN SERVICES,		
20	DEPARTMENT OF (FORMERLY DHS)		
21	DEPARTMENT TOTALS	2017-18	2018-19
22			
23	GENERAL FUND	(\$4,520,727)	(\$7,471,805)
24	FEDERAL EXPENDITURES FUND	\$33,521,185	\$5,000,000
25	FUND FOR A HEALTHY MAINE	\$0	\$0
26	OTHER SPECIAL REVENUE FUNDS	(\$262,027)	(\$267,692)
27	FEDERAL BLOCK GRANT FUND	\$14,950,365	\$22,936,493
28			
29	DEPARTMENT TOTAL - ALL FUNDS	<u>\$43,688,796</u>	<u>\$20,196,996</u>

1	SECTION TOTALS	2017-18	2018-19
2			
3	GENERAL FUND	\$6,729,273	(\$7,471,805)
4	FEDERAL EXPENDITURES FUND	\$33,521,185	\$5,000,000
5	FUND FOR A HEALTHY MAINE	\$0	\$0
6	OTHER SPECIAL REVENUE FUNDS	\$2,014,533	(\$267,692)
7	FEDERAL BLOCK GRANT FUND	\$14,950,365	\$22,936,493
8			
9	SECTION TOTAL - ALL FUNDS	<u>\$57,215,356</u>	<u>\$20,196,996</u>

10 **Sec. ZZZZZZ-35.** This section left blank intentionally.

11 **Sec. ZZZZZZ-36.** This section left blank intentionally.

12 **Sec. ZZZZZZ-37.** This section left blank intentionally.

13 **Sec. ZZZZZZ-38. Appropriations and allocations.** The following
14 appropriations and allocations are made.

15 **HOUSING AUTHORITY, MAINE STATE**

16 **Housing Authority - State 0442**

17 Initiative: Deallocates funds to partially offset allocations contained in Part A of this Act
18 that provide funds to meet unique housing needs in the areas of homelessness, first-time
19 home buyers, rental unit production for people with special needs and low income and
20 repairs to substandard homes.

21	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
22	All Other	(\$2,500,000)	(\$2,500,000)
23			
24	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>(\$2,500,000)</u>	<u>(\$2,500,000)</u>

25 **Sec. ZZZZZZ-39.** This section left blank intentionally.

26 **Sec. ZZZZZZ-40.** This section left blank intentionally.

27 **Sec. ZZZZZZ-41.** This section left blank intentionally.

28 **Sec. ZZZZZZ-42. Appropriations and allocations.** The following
29 appropriations and allocations are made.

30 **INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

31 **Maine Commission on Indigent Legal Services Z112**

32 Initiative: Provides additional funding for indigent legal services.

1	GENERAL FUND	2017-18	2018-19
2	All Other	\$2,822,639	\$0
3			
4	GENERAL FUND TOTAL	<u>\$2,822,639</u>	<u>\$0</u>

5 **Maine Commission on Indigent Legal Services Z112**

6 Initiative: Deappropriates funds provided in Part A of this Act that funded travel and per
7 diem payments for the 5 members of the Maine Commission on Indigent Legal Services.

8	GENERAL FUND	2017-18	2018-19
9	Personal Services	\$0	(\$3,300)
10	All Other	\$0	(\$5,000)
11			
12	GENERAL FUND TOTAL	<u>\$0</u>	<u>(\$8,300)</u>

13 **Reserve for Indigent Legal Services N262**

14 Initiative: Allocates additional funds for indigent legal services.

15	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
16	All Other	\$0	\$2,804,980
17			
18	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$2,804,980</u>

19 **Reserve for Indigent Legal Services N262**

20 Initiative: Allocates funds for indigent legal services, including funds for the continuation
21 of one Executive Director of Maine Indigent Legal Services position, one Public Service
22 Manager II position, one Accountant Technician position, one Office Associate I position
23 and 9 Financial Screener positions.

24	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
25	POSITIONS - LEGISLATIVE COUNT	0.000	11.500
26	Personal Services	\$0	\$832,565
27	All Other	\$0	\$15,567,725
28			
29	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$16,400,290</u>

30 **Reserve for Indigent Legal Services N262**

31 Initiative: Deallocates funds to offset an allocation contained in Part A of this Act related
32 to indigent legal services.

1	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
2	Unallocated	\$0	(\$16,400,290)
3			
4	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>(\$16,400,290)</u>

5	INDIGENT LEGAL SERVICES, MAINE		
6	COMMISSION ON		
7	DEPARTMENT TOTALS	2017-18	2018-19
8			
9	GENERAL FUND	\$2,822,639	(\$8,300)
10	OTHER SPECIAL REVENUE FUNDS	\$0	\$2,804,980
11			
12	DEPARTMENT TOTAL - ALL FUNDS	<u>\$2,822,639</u>	<u>\$2,796,680</u>

13 **Sec. ZZZZZZ-43.** This section left blank intentionally.

14 **Sec. ZZZZZZ-44.** This section left blank intentionally.

15 **Sec. ZZZZZZ-45. Appropriations and allocations.** The following
16 appropriations and allocations are made.

17 **LABOR, DEPARTMENT OF**

18 **Employment Services Activity 0852**

19 Initiative: Allocates funds to offset deallocations contained in Part A of this Act that
20 eliminate 5 CareerCenter Consultant positions and one part-time CareerCenter Consultant
21 position.

22	FEDERAL EXPENDITURES FUND	2017-18	2018-19
23	POSITIONS - LEGISLATIVE COUNT	5.500	5.500
24	Personal Services	\$356,216	\$371,250
25			
26	FEDERAL EXPENDITURES FUND TOTAL	<u>\$356,216</u>	<u>\$371,250</u>

27	COMPETITIVE SKILLS SCHOLARSHIP FUND	2017-18	2018-19
28	Personal Services	\$10,363	\$10,895
29			
30	COMPETITIVE SKILLS SCHOLARSHIP FUND	<u>\$10,363</u>	<u>\$10,895</u>
31	TOTAL		

32 **Employment Services Activity 0852**

33 Initiative: Allocates funds to offset deallocations contained in Part A of this Act that
34 eliminate 5 CareerCenter Consultant positions and one Office Assistant II position
35 effective June 17, 2018.

1	FEDERAL EXPENDITURES FUND	2017-18	2018-19
2	POSITIONS - LEGISLATIVE COUNT	0.000	6.000
3	Personal Services	\$0	\$335,672
4			
5	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$335,672</u>
6	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
7	Personal Services	\$0	\$35,077
8			
9	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$0</u>	<u>\$35,077</u>
10	COMPETITIVE SKILLS SCHOLARSHIP FUND	2017-18	2018-19
11	Personal Services	\$0	\$9,352
12			
13	COMPETITIVE SKILLS SCHOLARSHIP FUND	<u>\$0</u>	<u>\$9,352</u>
14	TOTAL		
15	LABOR, DEPARTMENT OF		
16	DEPARTMENT TOTALS	2017-18	2018-19
17			
18	FEDERAL EXPENDITURES FUND	\$356,216	\$706,922
19	OTHER SPECIAL REVENUE FUNDS	\$0	\$35,077
20	COMPETITIVE SKILLS SCHOLARSHIP	\$10,363	\$20,247
21	FUND		
22			
23	DEPARTMENT TOTAL - ALL FUNDS	<u>\$366,579</u>	<u>\$762,246</u>
24	Sec. ZZZZZZ-46. This section left blank intentionally.		
25	Sec. ZZZZZZ-47. This section left blank intentionally.		
26	Sec. ZZZZZZ-48. This section left blank intentionally.		
27	Sec. ZZZZZZ-49. This section left blank intentionally.		
28	Sec. ZZZZZZ-50. This section left blank intentionally.		
29	Sec. ZZZZZZ-51. Appropriations and allocations. The following		
30	appropriations and allocations are made.		
31	MARITIME ACADEMY, MAINE		
32	Maritime Academy - Operations 0035		

1 Initiative: Appropriates funds to offset deappropriations contained in Part A of this Act
2 that reduce funding for the Maine Maritime Academy.

3	GENERAL FUND	2017-18	2018-19
4	All Other	\$50,000	\$50,000
5			
6	GENERAL FUND TOTAL	<u>\$50,000</u>	<u>\$50,000</u>

7 **Maritime Academy - Operations 0035**

8 Initiative: Transfers funding from the Maritime Academy - Operations program to the
9 Maritime Academy - Schooner Bowdoin program in order to fund maintenance and repair
10 of the Schooner Bowdoin.

11	GENERAL FUND	2017-18	2018-19
12	All Other	(\$50,000)	(\$50,000)
13			
14	GENERAL FUND TOTAL	<u>(\$50,000)</u>	<u>(\$50,000)</u>

15 **Maritime Academy - Schooner Bowdoin Z253**

16 Initiative: Transfers funding from the Maritime Academy - Operations program to the
17 Maritime Academy - Schooner Bowdoin program in order to fund maintenance and repair
18 of the Schooner Bowdoin.

19	GENERAL FUND	2017-18	2018-19
20	All Other	\$50,000	\$50,000
21			
22	GENERAL FUND TOTAL	<u>\$50,000</u>	<u>\$50,000</u>

23 **MARITIME ACADEMY, MAINE**
24 **DEPARTMENT TOTALS**

25		2017-18	2018-19
26	GENERAL FUND	\$50,000	\$50,000
27			
28	DEPARTMENT TOTAL - ALL FUNDS	<u>\$50,000</u>	<u>\$50,000</u>

29 **Sec. ZZZZZZ-52.** This section left blank intentionally.

30 **Sec. ZZZZZZ-53.** This section left blank intentionally.

31 **Sec. ZZZZZZ-54. Appropriations and allocations.** The following
32 appropriations and allocations are made.

1 **NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL**
2 **COMMISSION**

3 **Maine Joint Environmental Training Coordinating Committee 0980**

4 Initiative: Increases funding for continuing education and training programs.

5	GENERAL FUND	2017-18	2018-19
6	All Other	\$20,000	\$20,000
7			
8	GENERAL FUND TOTAL	<u>\$20,000</u>	<u>\$20,000</u>

9 **Sec. ZZZZZZ-55.** This section left blank intentionally.

10 **Sec. ZZZZZZ-56.** This section left blank intentionally.

11 **Sec. ZZZZZZ-57.** This section left blank intentionally.

12 **Sec. ZZZZZZ-58.** This section left blank intentionally.

13 **Sec. ZZZZZZ-59.** This section left blank intentionally.

14 **Sec. ZZZZZZ-60.** This section left blank intentionally.

15 **Sec. ZZZZZZ-61. Appropriations and allocations.** The following
16 appropriations and allocations are made.

17 **PUBLIC SAFETY, DEPARTMENT OF**

18 **Administration - Public Safety 0088**

19 Initiative: Deappropriates funds to offset appropriations contained in Part A of this Act
20 that provide Personal Services funding for the approved reorganization of one Office
21 Associate II position to a Senior Contract/Grant Specialist position in the Highway Safety
22 DPS program, Federal Expenditures Fund; provide All Other funding for DICAP costs in
23 the Public Safety Administration program, General Fund; and reduce All Other funding
24 for costs no longer needed to support the position in the Highway Safety DPS program,
25 Highway Fund.

26	GENERAL FUND	2017-18	2018-19
27	All Other	(\$6,266)	(\$6,393)
28			
29	GENERAL FUND TOTAL	<u>(\$6,266)</u>	<u>(\$6,393)</u>

30 **Administration - Public Safety 0088**

31 Initiative: Appropriates funds to partially offset a deappropriation contained in Part A of
32 this Act that eliminates drug treatment grant funding.

1	GENERAL FUND	2017-18	2018-19
2	All Other	\$0	\$500,000
3			
4	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$500,000</u>

5 **Division of Building Codes and Standards Z073**

6 Initiative: Allocates funds to offset deallocations contained in Part A of this Act that
7 eliminate one Office Specialist I position and associated All Other costs.

8	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
9	POSITIONS - LEGISLATIVE COUNT	1.000	1.000
10	Personal Services	\$68,160	\$68,771
11	All Other	\$38,409	\$38,404

1
2 OTHER SPECIAL REVENUE FUNDS TOTAL \$106,569 \$107,175

3 **Licensing and Enforcement - Public Safety 0712**

4 Initiative: Reverses the transfer contained in Part A of this Act of one Office Associate II
5 position from Other Special Revenue Funds to the General Fund in the Licensing and
6 Enforcement - Public Safety program. Also deallocates funding in the All Other line to
7 correct an error contained in Part A of this Act.

8	GENERAL FUND	2017-18	2018-19
9	POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
10	Personal Services	(\$63,846)	(\$64,449)
11	All Other	(\$11,643)	(\$11,643)
12			
13	GENERAL FUND TOTAL	<u>(\$75,489)</u>	<u>(\$76,092)</u>

14	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
15	POSITIONS - LEGISLATIVE COUNT	1,000	1,000
16	Personal Services	\$63,846	\$64,449
17	All Other	\$199,864	\$205,037
18			
19	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$263,710</u>	<u>\$269,486</u>

20 **Licensing and Enforcement - Public Safety 0712**

21 Initiative: Allocates funds to offset deallocations contained in Part A of this Act that
22 eliminate 2 Public Safety Inspector positions, one Office Associate II position and All
23 Other funding related to nonprofit gaming.

24	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
25	POSITIONS - LEGISLATIVE COUNT	2,000	2,000
26	Personal Services	\$132,252	\$136,791
27	All Other	\$49,902	\$49,994
28			
29	OTHER SPECIAL REVENUE FUNDS TOTAL	<u>\$182,154</u>	<u>\$186,785</u>

30	PUBLIC SAFETY, DEPARTMENT OF		
31	DEPARTMENT TOTALS	2017-18	2018-19
32			
33	GENERAL FUND	(\$81,755)	\$417,515
34	OTHER SPECIAL REVENUE FUNDS	\$552,433	\$563,446

1 **Sec. ZZZZZZ-72. Appropriations and allocations.** The following
2 appropriations and allocations are made.

3 **TECHNOLOGY SERVICES, DEPARTMENT OF**
4 **Statewide Radio Network System Z243**

5 Initiative: Deallocates funds to offset allocations contained in Part A of this Act related to
6 establishing baseline allocation, expenditures and dedicated revenue for the Statewide
7 Radio and Network System Reserve Fund.

8	STATEWIDE RADIO AND NETWORK SYSTEM	2017-18	2018-19
9	RESERVE FUND		
10	All Other	(\$5,000)	(\$5,000)
11		<hr/>	<hr/>
12	STATEWIDE RADIO AND NETWORK SYSTEM	(\$5,000)	(\$5,000)
13	RESERVE FUND TOTAL		

14 **Statewide Radio Network System Z243**

15 Initiative: Deappropriates funds to offset appropriations contained in Part A of this Act
16 related to the transfer of All Other funding from the Department of Administrative and
17 Financial Services, Statewide Radio Network System program to the Department of
18 Technology Services, Statewide Radio Network System program.

19	GENERAL FUND	2017-18	2018-19
20	All Other	(\$6,699,151)	(\$6,699,151)
21		<hr/>	<hr/>
22	GENERAL FUND TOTAL	(\$6,699,151)	(\$6,699,151)

23 **Technology Services Z242**

24 Initiative: Deallocates funds to offset allocations contained in Part A of this Act related to
25 the reorganization of one Chief Information Officer position to a Commissioner,
26 Department of Technology Services position to align the classification with the duties of
27 the position.

28	OFFICE OF INFORMATION SERVICES FUND	2017-18	2018-19
29	Personal Services	(\$3,124)	(\$3,129)
30		<hr/>	<hr/>
31	OFFICE OF INFORMATION SERVICES FUND	(\$3,124)	(\$3,129)
32	TOTAL		

33 **Technology Services Z242**

34 Initiative: Adjusts funding contained in Part B of this Act related to reclassifications.

1	OFFICE OF INFORMATION SERVICES FUND	2017-18	2018-19
2	Personal Services	(\$64,170)	(\$70,298)
3	All Other	\$64,170	\$70,298
4			
5	OFFICE OF INFORMATION SERVICES FUND	\$0	\$0
6	TOTAL		

7 **Technology Services Z242**

8 Initiative: Deallocates funds to offset allocations contained in Part A of this Act related to
9 the transfer of positions and All Other funding from the Federal Expenditures Fund,
10 Other Special Revenue Funds and the Office of Information Services Fund in the
11 Department of Administrative and Financial Services, Information Services program to
12 the Federal Expenditures Fund, Other Special Revenue Funds and the Office of
13 Information Services Fund in the new Department of Technology Services, Technology
14 Services program. Position detail is on file in the Bureau of the Budget.

15	FEDERAL EXPENDITURES FUND	2017-18	2018-19
16	All Other	(\$500)	(\$500)
17			
18	FEDERAL EXPENDITURES FUND TOTAL	(\$500)	(\$500)

19	OTHER SPECIAL REVENUE FUNDS	2017-18	2018-19
20	All Other	(\$500)	(\$500)
21			
22	OTHER SPECIAL REVENUE FUNDS TOTAL	(\$500)	(\$500)

23	OFFICE OF INFORMATION SERVICES FUND	2017-18	2018-19
24	POSITIONS - LEGISLATIVE COUNT	(475,000)	(475,000)
25	Personal Services	(\$47,736,567)	(\$48,801,411)
26	All Other	(\$7,535,440)	(\$7,535,440)
27			
28	OFFICE OF INFORMATION SERVICES FUND	(\$55,272,007)	(\$56,336,851)
29	TOTAL		

30 **Technology Services Z242**

31 Initiative: Deappropriates and deallocates funds to offset appropriations and allocations
32 contained in Part A of this Act related to transferring and reallocating the cost of one
33 Public Service Manager II position, one GIS Coordinator position and 2 Senior
34 Programmer Analyst positions and associated All Other costs from 100% Office of
35 Information Services Fund to 100% General Fund and reallocates the cost of one Public
36 Service Manager II position from 100% Office of Information Services Fund to 85%

1 Other Special Revenue Funds and 15% General Fund within the same program to provide
2 funding for Maine's Geographic Information Services and GeoLibrary.

3	GENERAL FUND	2017-18	2018-19
4	POSITIONS - LEGISLATIVE COUNT	(4,000)	(4,000)
5	Personal Services	(\$442,039)	(\$447,750)
6	All Other	(\$631,403)	(\$631,403)
7			
8	GENERAL FUND TOTAL	<u>(\$1,073,442)</u>	<u>(\$1,079,153)</u>

9	OFFICE OF INFORMATION SERVICES FUND	2017-18	2018-19
10	POSITIONS - LEGISLATIVE COUNT	4,000	4,000
11	Personal Services	\$442,039	\$447,750
12			
13	OFFICE OF INFORMATION SERVICES FUND	<u>\$442,039</u>	<u>\$447,750</u>
14	TOTAL		

15 **Technology Services Z242**

16 Initiative: Deappropriates funds to offset appropriations contained in Part A of this Act
17 related to funding for annual principal and interest payments on funds borrowed in
18 support of state technology infrastructure improvements and system purchases and
19 enhancements.

20	GENERAL FUND	2017-18	2018-19
21	All Other	(\$220,000)	(\$4,700,000)
22			
23	GENERAL FUND TOTAL	<u>(\$220,000)</u>	<u>(\$4,700,000)</u>

24	TECHNOLOGY SERVICES, DEPARTMENT OF		
25	DEPARTMENT TOTALS	2017-18	2018-19
26			
27	GENERAL FUND	(\$7,992,593)	(\$12,478,304)
28	FEDERAL EXPENDITURES FUND	(\$500)	(\$500)
29	OTHER SPECIAL REVENUE FUNDS	(\$500)	(\$500)
30	OFFICE OF INFORMATION SERVICES FUND	(\$54,833,092)	(\$55,892,230)
31	STATEWIDE RADIO AND NETWORK	(\$5,000)	(\$5,000)
32	SYSTEM RESERVE FUND		
33			
34	DEPARTMENT TOTAL - ALL FUNDS	<u>(\$62,831,685)</u>	<u>(\$68,376,534)</u>

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PART AAAAAAA

Sec. AAAAAAA-1. 36 MRSA §4641-B, sub-§4-B, ¶E, as amended by PL 2015, c. 267, Pt. N, §1, is further amended to read:

E. In fiscal year 2015-16 and each fiscal year thereafter, the Treasurer of State shall credit the revenues derived from the tax imposed pursuant to section 4641-A, subsection 1 in accordance with this paragraph.

(1) At the beginning of the fiscal year, the Maine State Housing Authority shall certify to the Treasurer of State the amount that is necessary and sufficient to meet the authority's obligations relating to bonds issued or planned to be issued by the authority under Title 30-A, section 4864.

(2) On a monthly basis the Treasurer of State shall apply 50% of the revenues in accordance with this subparagraph. The Treasurer of State shall first pay revenues available under this subparagraph to the Maine State Housing Authority, which shall deposit the funds in the Maine Energy, Housing and Economic Recovery Fund established in Title 30-A, section 4863, until the amount paid equals the amount certified by the Maine State Housing Authority under subparagraph (1), after which the Treasurer of State shall credit any remaining revenues available under this subparagraph to the General Fund.

(3) On a monthly basis, the Treasurer of State shall credit 50% of the revenues to the Maine State Housing Authority, except that, notwithstanding paragraph F, in fiscal year 2015-16, the Treasurer of State shall first credit \$6,291,740 of the revenues available under this subparagraph to the General Fund and except that, notwithstanding paragraph F, in fiscal year 2016-17, the Treasurer of State shall first credit \$6,090,367 of the revenues available under this subparagraph to the General Fund and except that, notwithstanding paragraph F, in fiscal years 2017-18 and 2018-19, the Treasurer of State shall first credit \$2,500,000 of the revenues available under this subparagraph to the General Fund. The Maine State Housing Authority shall deposit the funds received pursuant to this subparagraph in the Housing Opportunities for Maine Fund created in Title 30-A, section 4853.

PART BBBBBBB

Sec. BBBBBBB-1. Lapsed balances; Legislature, General Fund account. Notwithstanding any other provision of law to the contrary, \$2,500,000 of unencumbered balance forward from the various program accounts and line categories in the Legislature, General Fund accounts as specified by the Executive Director of the Legislative Council lapses to the unappropriated surplus of the General Fund. By September 1, 2017, the Executive Director of the Legislative Council shall review the Legislature, General Fund accounts and notify the State Controller of the unencumbered balance forward amounts by account and line category totaling \$2,500,000 that the State Controller shall lapse to the unappropriated surplus of the General Fund no later than June 30, 2018.

1 unappropriated surplus from the additional recoveries received pursuant to the Medicaid
2 Global Settlement with Wyeth Pharmaceuticals, Inc. NAMFCU Case No. 09-06-04.

3 **PART JJJJJJ**

4 **Sec. JJJJJJ-1. 20-A MRSA §6051, sub-§1, ¶J**, as amended by PL 2013, c.
5 167, Pt. A, §4, is further amended to read:

6 J. A determination of whether the school administrative unit has complied with the
7 applicable provisions of the unexpended balances requirements established under
8 section 15004; ~~and~~

9 **Sec. JJJJJJ-2. 20-A MRSA §6051, sub-§1, ¶K**, as enacted by PL 2013, c.
10 167, Pt. A, §5, is amended to read:

11 K. A schedule of expenditures of federal awards; ~~and~~

12 **Sec. JJJJJJ-3. 20-A MRSA §6051, sub-§1, ¶L** is enacted to read:

13 L. A determination of whether the school administrative unit has complied with
14 applicable provisions of section 15690-A.

15 **Sec. JJJJJJ-4. 20-A MRSA §15690-A** is enacted to read:

16 **§15690-A. Local action on increase in state share percentage**

17 Notwithstanding section 1485, subsection 5, this section applies to school budgets
18 adopted for fiscal years 2017-18 and 2018-19.

19 **1. Required reduction in local contribution.** If the budget of a school
20 administrative unit is based on assumptions that include an increase in state share,
21 pursuant to section 15690, subsection 1, paragraph C, over the amount used in the most
22 recent approved budget as the result of an increase in the state share of the school
23 administrative unit's total cost of funding public education from kindergarten to grade 12
24 under this chapter, the increase in state share must be used as follows.

25 A. Fifty percent of the increase in state share pursuant to section 15690, subsection
26 1, paragraph C that is attributable to the increase in the state share over the state share
27 amount used in the most recent approved budget must be used to lower the school
28 administrative unit's local contribution to the total cost of funding public education
29 from kindergarten to grade 12.

30 B. The remaining 50% may be used only to increase expenditures for school
31 purposes in cost center categories approved by the local school board, increase the
32 allocation of finances for a reserve fund or provide an additional amount to lower the
33 required local contribution to the total cost of education.

34 **2. Warrant.** If the budget of the school administrative unit is based on assumptions
35 that include an increase in state share, pursuant to section 15690, subsection 1, paragraph
36 C, over the amount used in the most recent approved budget as the result of an increase in
37 the state share of the school administrative unit's total cost of funding public education
38 from kindergarten to grade 12 under this chapter, an article in substantially the form in

1 paragraph A must be used to authorize the use of the increase in state share for the
2 expenditures specified in subsection 1, paragraph B after the requirements of subsection
3 1, paragraph A are met.

4 A. "Article.....: To see what sums will be appropriated for the following purposes
5 from the amount of the anticipated increase in state share of the school administrative
6 unit's total cost of funding public education from kindergarten to grade 12 over the
7 amount used in the most recent approved budget as the result of an increase in the
8 state share of the school administrative unit's total cost of funding public education
9 from kindergarten to grade 12 under this chapter:

10 (1) (Amount appropriated) To increase expenditures for school purposes in cost
11 center categories approved by the board (list of amounts by category should be
12 provided);

13 (2) (Amount appropriated) To increase the allocation of finances in a reserve
14 fund for the purpose of (name of reserve fund); and

15 (3) (Amount appropriated) To provide a decrease in the local contribution, as
16 defined in the Maine Revised Statutes, Title 20-A, section 15690, subsection 1,
17 paragraph A or B, section 15690, subsection 2 or section 15690, subsection 3 for
18 local property taxpayers for funding public education."

19 B. If as a result of a vote on the article specified in paragraph A, subparagraph (3) a
20 school administrative unit does not raise 100% of the required local contribution
21 pursuant to section 15690, subsection 1, the school administrative unit may petition
22 the commissioner to waive the required proration of the state share pursuant to
23 section 15690, subsection 1, paragraph C.

24 C. If the article is approved by the voters at the budget meeting, the board of the
25 school administrative unit may increase expenditures for the purposes approved in the
26 article without holding a special budget meeting and budget validation referendum.

27 **Sec. JJJJJJJ-5. Permitted use of additional funding for 2017-18 school**
28 **budget.** Notwithstanding the Maine Revised Statutes, Title 20-A, section 15690-A, for
29 school budgets for the 2017-18 fiscal year only, articles approved by the voters that
30 earmarked additional state funding contributions for increased expenditures for school
31 purposes in fiscal year 2017-18 are permitted as approved.

32 **PART KKKKKKK**

33 **Sec. KKKKKKK-1. Carry balances; Debt Service - Government**
34 **Facilities Authority.** Notwithstanding any provision of law to the contrary, the State
35 Controller shall carry any remaining balances in the Debt Service - Government Facilities
36 Authority program in the Department of Administrative and Financial Services in each
37 year of the 2018-2019 biennium into the following fiscal year.

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PART LLLLLLL

Sec. LLLLLLL-1. Payment in 2018 from General Fund unappropriated surplus to Doctors for Maine's Future Scholarship Fund - Finance Authority of Maine. Notwithstanding any other provision of law to the contrary, by June 30, 2018, the State Controller shall pay \$400,000 from the General Fund unappropriated surplus to the Finance Authority of Maine to be deposited in the Doctors for Maine's Future Scholarship Fund to provide funding for medical school scholarships for eligible students.

Sec. LLLLLLL-2. Payment in 2019 from General Fund unappropriated surplus to Doctors for Maine's Future Scholarship Fund - Finance Authority of Maine. Notwithstanding any other provision of law to the contrary, by June 30, 2019, the State Controller shall pay \$400,000 from the General Fund unappropriated surplus to the Finance Authority of Maine to be deposited in the Doctors for Maine's Future Scholarship Fund to provide funding for medical school scholarships for eligible students.

Sec. LLLLLLL-3. Transfer in 2018 from Board of Licensure in Medicine, Other Special Revenue Funds. Notwithstanding any other provision of law to the contrary, the State Controller shall transfer \$320,000 from the Board of Licensure in Medicine, Department of Professional and Financial Regulation, Other Special Revenue Funds account to the General Fund unappropriated surplus by June 30, 2018.

Sec. LLLLLLL-4. Transfer in 2019 from Board of Licensure in Medicine, Other Special Revenue Funds. Notwithstanding any other provision of law to the contrary, the State Controller shall transfer \$320,000 from the Board of Licensure in Medicine, Department of Professional and Financial Regulation, Other Special Revenue Funds account to the General Fund unappropriated surplus by June 30, 2019.

Sec. LLLLLLL-5. Transfer in 2018 from Board of Osteopathic Licensure, Other Special Revenue Funds. Notwithstanding any other provision of law to the contrary, the State Controller shall transfer \$80,000 from the Board of Osteopathic Licensure, Department of Professional and Financial Regulation, Other Special Revenue Funds account to the General Fund unappropriated surplus by June 30, 2018.

Sec. LLLLLLL-6. Transfer in 2019 from Board of Osteopathic Licensure, Other Special Revenue Funds. Notwithstanding any other provision of law to the contrary, the State Controller shall transfer \$80,000 from the Board of Osteopathic Licensure, Department of Professional and Financial Regulation, Other Special Revenue Funds account to the General Fund unappropriated surplus by June 30, 2019.

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PART MMMMMMM

Sec. MMMMMMM-1. Increase in reimbursement rates for personal care and related services. No later than October 1, 2017, the Department of Health and Human Services shall amend its rules for reimbursement rates for the home-based and community-based personal care and related services referenced in the February 1, 2016 report "Rate Review for Personal Care and Related Services: Final Rate Models" prepared for the department by Burns & Associates, Inc. The increase in rates must be applied in equal proportion to all home-based and community-based personal care and related services referenced in the report using the funding provided for that purpose in this Act.

The department shall ensure that caps and limitations on home-based and community-based personal care and related services are increased to reflect the increases in reimbursement rates that result from this section. A recipient of services may not experience a reduction in hours solely as a result of increased reimbursement.

Rules adopted pursuant to this section are routine technical rules as described in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Sec. MMMMMMM-2. Immediate rate increases. No later than October 1, 2017, the Department of Health and Human Services shall increase reimbursement rates in accordance with this section.

1. Section 21 rules. The Department of Health and Human Services shall amend its rules to increase reimbursement rates above the rates in effect on the effective date of this Part for the following procedure codes provided in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 21:

- A. T2017 home support;
- B. T2017 SC home support with medical add-on;
- C. T2017 GT home support - remote support;
- D. T2016 agency home support;
- E. T2016 agency home support over 168 hours;
- F. T2016 SC agency home support with medical add-on;
- G. S5140 shared living foster care, adult, one member;
- H. S5140 TG shared living foster care, adult, one member, increased level of support;
- I. S5140 UN shared living foster care, adult, 2 members;
- J. S5140 UN TG shared living foster care, adult, 2 members, increased level of support;
- K. T2021 community support;
- L. T2021 SC community support with medical add-on;
- M. T2015 career planning;

- 1 N. T2019 employment specialist services;
- 2 O. T2019 SC employment specialist services with medical add-on;
- 3 P. H2023 work support, individual;
- 4 Q. H2023 SC work support with medical add-on;
- 5 R. H2023 UN work support, group, 2 members;
- 6 S. H2023 UP work support, group, 3 members;
- 7 T. H2023 UQ work support, group, 4 members;
- 8 U. H2023 UR work support, group, 5 members;
- 9 V. H2023 US work support, group, 6 members; and
- 10 W. T2034 crisis intervention services.

11 **2. Section 29 rules.** The Department of Health and Human Services shall amend its
12 rules to increase reimbursement rates above the rates in effect on the effective date of this
13 Part for the following procedure codes provided in Chapter 101: MaineCare Benefits
14 Manual, Chapter III, Section 29:

- 15 A. T2017 home support, 1/4 hour;
- 16 B. T2017 GT home support, remote support;
- 17 C. T2021 community support;
- 18 D. T2021 SC community support with medical add-on;
- 19 E. T2019 employment specialist services;
- 20 F. T2019 SC employment specialist services with medical add-on;
- 21 G. H2023 work support, individual;
- 22 H. H2023 SC work support - supported employment with medical add-on;
- 23 I. H2023 UN work support, group, 2 members;
- 24 J. H2023 UP work support, group, 3 members;
- 25 K. H2023 UQ work support, group, 4 members;
- 26 L. H2023 UR work support, group, 5 members;
- 27 M. H2023 US work support, group, 6 members;
- 28 N. T2015 career planning;
- 29 O. S5150 respite, 1/4 hour; and
- 30 P. S5151 respite, per diem.

31 **3. Proportional increase.** The increase in rates for the procedure codes specified in
32 subsection 1 and subsection 2 must be accomplished in equal proportion using the
33 funding provided for that purpose in this Act.

1 **§24. Photographs on electronic benefits transfer cards**

2 The commissioner shall place a photograph of a recipient of benefits under a program
3 specified in section 22 on the recipient's electronic benefits transfer card if agreed to in
4 writing by the recipient. When a recipient of benefits is a minor or incapacitated
5 individual, the commissioner may place a photograph of the recipient's parent or legal
6 guardian on the EBT card if agreed to in writing by that parent or legal guardian.

7 **§25. Restrictions of the number of replacement electronic benefits transfer cards**

8 When the department determines that the number of requests by a recipient of
9 benefits for a replacement electronic benefits transfer card is excessive, the department
10 shall require the recipient or a member of the recipient's household to contact the
11 recipient's local office of the department to provide an explanation for the requests. Upon
12 a 5th request for a replacement card within a 12-month period, the department may not
13 issue a replacement card until the recipient or a member of the recipient's household
14 reports to the recipient's local office of the department to explain the excessive number of
15 replacement requests.

16 **Sec. NNNNNN-8. 22 MRSA §3104, sub-§§15 and 16** are enacted to read:

17 **15. Certain felons convicted of violent crimes and sexual assault ineligible.** An
18 individual who is convicted in any jurisdiction on or after January 1, 2018 under federal
19 or state law of aggravated sexual abuse under 18 United States Code, Section 2241;
20 murder under 18 United States Code, Section 1111; an offense under 18 United States
21 Code, Chapter 110; a federal or state offense involving sexual assault, as defined in
22 Section 40002(a) of the federal Violence Against Women Act of 1994, 42 United States
23 Code, Section 13925(a); or an offense under a law of this State that is substantially
24 similar to a federal offense described in this subsection and who is not in compliance with
25 the terms of the individual's sentence, parole or probation or is a fleeing felon is ineligible
26 to receive food assistance through the food supplement program.

27 **16. Certain lottery and gambling winners ineligible.** A recipient of food
28 assistance through the food supplement program may be denied food assistance as
29 described in this subsection.

30 A. Lottery and gambling winnings of \$5,000 or more, actually received after any
31 offsets to the winnings required by law by an individual in the recipient's household
32 within one calendar month, disqualifies the household from receiving food assistance
33 through the food supplement program until financial eligibility guidelines set forth in
34 department rule are met.

35 B. The department shall enter into an agreement with the Department of
36 Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery
37 Operations, pursuant to which the bureau shall provide the department with reports
38 no less than monthly to assist the department in determining whether an individual in
39 the recipient's household has received lottery and gambling winnings of \$5,000 or
40 more within one calendar month.

1 **Sec. NNNNNN-9. 22 MRSA §3174**, as corrected by RR 1991, c. 1, §29 and
2 amended by PL 1997, c. 530, Pt. A, §34, is further amended by adding after the 2nd
3 paragraph a new paragraph to read:

4 The department shall review and reevaluate eligibility for all recipients of aid,
5 assistance or benefits available through a program of medical assistance administered
6 pursuant to this chapter no less than once every 12 months, notwithstanding any federal
7 statute, regulation or waiver allowing for less frequent reviews.

8 **Sec. NNNNNN-10. 22 MRSA §3762, sub-§3, ¶B**, as amended by PL 2017, c.
9 256, §1, is further amended to read:

10 B. The department may use funds, insofar as resources permit, provided under and in
11 accordance with the United States Social Security Act or state funds appropriated for
12 this purpose or a combination of state and federal funds to provide assistance to
13 families under this chapter. In addition to assistance for families described in this
14 subsection, funds must be expended for the following purposes:

15 (1) To continue the pass-through of the first \$50 per month of current child
16 support collections and the exclusion of the \$50 pass-through from the budget
17 tests and benefit calculations;

18 (2) To provide financial assistance to noncitizens legally admitted to the United
19 States who are receiving assistance under this subsection as of July 1, 2011.
20 Recipients of assistance under this subparagraph are limited to the categories of
21 noncitizens who would be eligible for the TANF programs but for their status as
22 aliens under PRWORA. Eligibility for the TANF program for these categories of
23 noncitizens must be determined using the criteria applicable to other recipients of
24 assistance from the TANF program. Any household receiving assistance as of
25 July 1, 2011 may continue to receive assistance, as long as that household
26 remains eligible, without regard to interruptions in coverage or gaps in eligibility
27 for service. A noncitizen legally admitted to the United States who is neither
28 receiving assistance on July 1, 2011 nor has an application pending for assistance
29 on July 1, 2011 that is later approved is not eligible for financial assistance
30 through a state-funded program unless that noncitizen is:

31 (a) Elderly or disabled, as described under the laws governing supplemental
32 security income in 42 United States Code, Sections 1381 to 1383f (2010);

33 (b) A victim of domestic violence;

34 (c) Experiencing other hardship, such as time necessary to obtain proper
35 work documentation, as defined by the department by rule. Rules adopted by
36 the department under this division are routine technical rules as defined by
37 Title 5, chapter 375, subchapter 2-A; or

38 (d) Unemployed but has obtained proper work documentation, as defined by
39 the department by rule. Rules adopted by the department under this division
40 are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A;

- 1 (3) To provide benefits to 2-parent families with children using the same
2 eligibility requirements as apply to families headed by a single custodial parent or
3 caretaker relative;
- 4 (4) To provide an assistance program for needy children, 19 to 21 years of age,
5 who are in full-time attendance in secondary school. The program is operated for
6 those individuals who qualify for TANF under the United States Social Security
7 Act, except that they fail to meet the age requirement, and is also operated for the
8 parent or caretaker relative of those individuals. Except for the age requirement,
9 all provisions of TANF, including the standard of need and the amount of
10 assistance, apply to the program established pursuant to this subparagraph;
- 11 (5) To provide assistance for a pregnant woman who is otherwise eligible for
12 assistance under this chapter, except that she has no dependents under 19 years of
13 age. An individual is eligible for the monthly benefit for one eligible person if
14 the medically substantiated expected date of the birth of her child is not more
15 than 90 days following the date the benefit is received;
- 16 (6) To provide a special housing allowance for TANF families whose shelter
17 expenses for rent, mortgage or similar payments, homeowners insurance and
18 property taxes equal or exceed ~~75%~~ 50% of their monthly income. The special
19 housing allowance is limited to \$300 per month for each family. For purposes of
20 this subparagraph, "monthly income" means the total of the TANF monthly
21 benefit and all income countable under the TANF program, plus child support
22 received by the family, excluding the \$50 pass-through payment;
- 23 (7) In determining benefit levels for TANF recipients who have earnings from
24 employment, the department shall disregard from monthly earnings the
25 following:
- 26 (a) One hundred and eight dollars;
- 27 (b) Fifty percent of the remaining earnings that are less than the federal
28 poverty level; and
- 29 (c) All actual child care costs necessary for work, except that the department
30 may limit the child care disregard to \$175 per month per child or \$200 per
31 month per child under 2 years of age or with special needs;
- 32 (7-A) In determining eligibility and benefit levels, the department may apply a
33 gross income test only to applicants and not to recipients;
- 34 (8) In cases when the TANF recipient has no child care cost, the monthly TANF
35 benefit is the maximum payment level or the difference between the countable
36 earnings and the standard of need established by rule adopted by the department,
37 whichever is lower;
- 38 (9) In cases when the TANF recipient has child care costs, the department shall
39 determine a total benefit package, including TANF cash assistance, determined in
40 accordance with subparagraph (7) and additional child care assistance, as
41 provided by rule, necessary to cover the TANF recipient's actual child care costs

1 up to the maximum amount specified in section 3782-A, subsection 5. The
2 benefit amount must be paid as provided in this subparagraph.

3 (a) Before the first month in which child care assistance is available to an
4 ASPIRE-TANF recipient under this paragraph and periodically thereafter, the
5 department shall notify the recipient of the total benefit package and the
6 following options of the recipient: to receive the total benefit package
7 directly; or to have the department pay the recipient's child care assistance
8 directly to the designated child care provider for the recipient and pay the
9 balance of the total benefit package to the recipient.

10 (b) If an ASPIRE-TANF recipient notifies the department that the recipient
11 chooses to receive the child care assistance directly, the department shall pay
12 the total benefit package to the recipient.

13 (c) If an ASPIRE-TANF recipient does not respond or notifies the
14 department of the choice to have the child care assistance paid directly to the
15 child care provider from the total benefit package, the department shall pay
16 the child care assistance directly to the designated child care provider for the
17 recipient. The department shall pay the balance of the total benefit package
18 to the recipient;

19 (10) Child care assistance under this paragraph must be paid by the department
20 in a prompt manner that permits an ASPIRE-TANF recipient to access child care
21 necessary for work; and

22 (11) The department shall adopt rules pursuant to Title 5, chapter 375 to
23 implement this subsection. Rules adopted pursuant to this subparagraph are
24 routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

25 **Sec. NNNNNN-11. 22 MRSA §3769-C, sub-§1**, as amended by PL 2001, c.
26 439, Pt. CC, §1 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

27 **1. Amount of assistance.** It is the goal of this section to provide low-income
28 families with children sufficient income to meet their most basic needs. If the
29 commissioner determines that unexpended funds are available within the Department of
30 Health and Human Services state or federal ASPIRE or TANF accounts, the
31 commissioner may, by rule, use those funds to increase the maximum levels of assistance
32 in the TANF ~~Program~~ program.

33 ~~A. Beginning October 1, 2001, the department shall use unexpended funds in the~~
34 ~~TANF program to increase the maximum amount of TANF assistance by an amount~~
35 ~~equal to 5% of the maximum payments that were in effect on January 1, 2001, and~~
36 ~~shall increase the standard of need to maintain the same differential between the~~
37 ~~maximum payment and the standard of need that was in effect on January 1, 2001.~~
38 ~~Initial applicants for assistance may not become eligible for assistance as a result of~~
39 ~~any increase in the standard of need required by this paragraph.~~

40 ~~B. Beginning with the 2004-2005 fiscal biennium, the commissioner must continue~~
41 ~~the 5% benefit increase provided for in paragraph A in the department's current~~
42 ~~services budget request for the TANF block grant.~~

1 C. Beginning October 1, 2017, the department shall increase the maximum amount
2 of monthly TANF assistance by an amount equal to 20% of the maximum payments
3 that were in effect on January 1, 2017 and shall increase the standard of need to
4 maintain the same differential between the maximum payment and the standard of
5 need that was in effect on January 1, 2017.

6 D. Beginning October 1, 2018 and for each year thereafter, the department shall
7 increase the maximum amount of monthly TANF assistance by an amount equal to
8 the increase, if any, in the cost of living and shall increase the standard of need to
9 maintain the same differential between the maximum payment and the standard of
10 need that was in effect on January 1, 2017. The increase in the cost of living for each
11 year must equal the percentage increase, if any, in the federal supplemental security
12 income program for that year.

13 **Sec. NNNNNN-12. 22 MRSA §§3769-E and 3769-F** are enacted to read:

14 **§3769-E. Temporary Assistance for Needy Families block grant; increased heating**
15 **assistance**

16 In fiscal year 2017-18 and annually thereafter, the Department of Health and Human
17 Services shall provide \$3,000,000 in funds provided under the Temporary Assistance for
18 Needy Families block grant to the Maine State Housing Authority to provide heating
19 assistance for low-income families with children.

20 Funds provided under this section must be used to supplement funds available under
21 the Low-Income Home Energy Assistance Program administered by the federal
22 Department of Health and Human Services and must be made available to families with
23 children at or below 170% of the federal poverty level that qualify for that program under
24 rules established by the Maine State Housing Authority.

25 The Maine State Housing Authority may retain what the department determines to be
26 a reasonable administrative fee from the Temporary Assistance for Needy Families block
27 grant for the cost of administering the heating assistance available under this section.

28 **§3769-F. Working Cars for Working Families Program**

29 There is established within the department the Working Cars for Working Families
30 Program in order to help families receiving TANF benefits or benefits under the Parents
31 as Scholars Program and families that are financially eligible for alternative aid under
32 section 3763, subsection 8 to obtain or retain sustainable employment by providing them
33 with access to reliable, affordable transportation. In fiscal year 2017-18, the department
34 shall adopt rules establishing program eligibility, participation and administration
35 requirements. From fiscal year 2018-19 to fiscal year 2021-22, the department shall use
36 \$6,000,000 in funds provided under the TANF block grant and accrued prior to fiscal
37 year 2017-18 to fund the program.

38 This section is repealed July 1, 2022.

39 **Sec. NNNNNN-13. 22 MRSA §3785, sub-§2**, as amended by PL 1993, c.
40 385, §18, is repealed.

1 **Sec. NNNNNN-14. 22 MRSA §3790, sub-§2, ¶¶B and C**, as enacted by PL
2 1997, c. 530, Pt. B, §1, are amended to read:

3 B. That, considering potential employment opportunities and local labor market
4 conditions, the postsecondary education sought by the individual will significantly
5 improve the ability of the family to be self-supporting; ~~and~~

6 C. That the individual has the aptitude to successfully complete the proposed
7 postsecondary program; ~~and~~

8 **Sec. NNNNNN-15. 22 MRSA §3790, sub-§2, ¶D** is enacted to read:

9 D. That enrollment is for the pursuit of any degree or certification if the occupation
10 has at least an average job outlook as identified by the Center for Workforce
11 Research and Information within the Department of Labor. For occupations with a
12 lower than average job outlook, educational plans require approval of the
13 commissioner or the commissioner's designee.

14 **Sec. NNNNNN-16. 22-A MRSA §206, sub-§9** is enacted to read:

15 **9. Annual reporting.** The commissioner shall report annually as set out in this
16 subsection.

17 A. After the end of the state fiscal year and no later than July 30th of each year, the
18 commissioner shall issue a press release and post on the department's publicly
19 accessible website a report of the total annual spending in the following programs:
20 the MaineCare program, the Temporary Assistance for Needy Families program
21 under Title 22, chapter 1053-B, the statewide food supplement program under Title
22 22, section 3104 and municipal general assistance under Title 22, chapter 1161. This
23 report must include a specific breakdown of General Fund funds spent and other
24 spending, including spending figures from the 5 previous years for comparison.

25 B. After the end of the calendar year and no later than January 30th of each year, the
26 commissioner shall issue a press release and post on the department's publicly
27 accessible website the following welfare fraud-related statistics for the MaineCare
28 program, the Temporary Assistance for Needy Families program under Title 22,
29 chapter 1053-B, the statewide food supplement program under Title 22, section 3104
30 and municipal general assistance under Title 22, chapter 1161: the number of cases
31 investigated, the number of cases referred to the Office of the Attorney General for
32 prosecution, the number of cases referred to district attorneys' offices for prosecution
33 and the number of cases successfully prosecuted. The department shall follow the
34 same procedure outlined in this paragraph for all intentional program violations.

35 C. After the end of the state fiscal year and no later than July 30th of each year, the
36 commissioner shall issue a press release and post on the department's publicly
37 accessible website each individual contract the department has with providers of
38 services. The report must include the following information for each contract: the
39 provider's name, the program office, the contract period, the total contract dollar
40 value, the amount of General Fund funds allocated to the contract and a description of
41 the services provided pursuant to the contract. The report must indicate whether the
42 contract was a sole-source contract or the result of a competitive bidding process.

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PART D

This Part eliminates, for tax years beginning in 2017 or after, the 3% income tax surcharge imposed on taxable income in excess of \$200,000 and eliminates the Fund to Advance Public Kindergarten to Grade 12 Education since the source of that fund is the 3% income tax surcharge.

PART E

This Part increases the sales tax on lodging from 9% to 10.5% beginning October 1, 2017 and amends the provision of law regarding transfers to the Tourism Marketing Promotion Fund to reflect the increase in the lodging tax.

PART G

Under current law, the homestead property tax exemption for property tax years beginning on or after April 1, 2017 increased by \$5,000 to \$20,000 and the percentage of state reimbursement to municipalities for property taxes lost as a result of the exemption increased from 50% to 62.5%. This Part delays the increase in the state reimbursement amount until property tax years beginning on or after April 1, 2018.

PART N

This Part makes the following changes to the laws governing the Consensus Economic Forecasting Commission.

1. It allows the terms of commission members to be staggered.
2. It changes reporting requirements to conform to current practice and adds a requirement that at least 2 economic forecasts assuming potential economic recession scenarios be provided no later than February 1st in even-numbered years.
3. It changes the required number of meetings of the commission and the Revenue Forecasting Committee from 4 a year to 3.
4. It adds a requirement that the commission and the committee jointly issue a report to the Governor, the Legislative Council and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs that uses the potential economic recession scenarios.

PART O

This Part transfers responsibility for the supervision and administrative control of risk management insurance, claims and loss control for the State from the Director of the Bureau of General Services and the Bureau of General Services to the State Controller and the Office of the State Controller.

This Part also provides that the risk management division assists the State Controller in carrying out these duties and that the division is transferred from the Bureau of General Services to the Office of the State Controller.

PART P

This Part authorizes the Department of Administrative and Financial Services, Bureau of General Services to accept contributions from public and private sources for the maintenance, repair and construction of state facilities and provides that any earnings credited to the appropriate fund be used for the same purposes.

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PART Q

This Part directs the Revisor of Statutes, when updating the Maine Revised Statutes, to change the name of the "displaced homemaker program" to the "New Ventures Maine program" and the name of the "Displaced Homemakers Advisory Council" to the "New Ventures Maine Advisory Council." This Part also changes the name of the Maine Centers for Women, Work and Community program to the New Ventures Maine program to reflect the name currently used by the University of Maine System.

PART S

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

PART T

This Part authorizes the State Tax Assessor to implement a training program to develop the expertise of revenue agents and property appraisers. Upon successful completion of the program and demonstration of prescribed competencies, employees in these classifications may immediately progress to the senior position in the respective classification series.

PART V

This Part increases the cap on the year-to-year increase that counties may charge municipalities for correctional services. The cap is increased to the lower of the base assessment limit, as adjusted, and 4%; current law specifies the lower of the base assessment limit, as adjusted, and 3%.

This Part requires the State Controller to transfer \$12,202,104 from the unappropriated surplus of the General Fund to the Department of Corrections, Reserve for County Jail Operations program, Other Special Revenue Funds and stipulates that the funds may not be transferred out of the Reserve for County Jail Operations program without legislative approval.

PART X

This Part recognizes an increase in the attrition rate to 5% for the 2018-2019 biennium for judicial branch and executive branch departments and agencies and removes the attrition requirement for the District Attorneys Salaries program for the 2018-2019 biennium. This Part also requires the State Budget Officer to submit a report of the savings calculations and transfers to the Joint Standing Committee on Appropriations and Financial Affairs by September 1, 2018.

PART Y

This Part authorizes the Department of Administrative and Financial Services to enter into financing agreements in fiscal years 2017-18 and 2018-19 for the acquisition of motor vehicles for the Central Fleet Management Division within the department's Bureau of General Services.

PART Z

This Part authorizes the Department of Administrative and Financial Services to enter into financing agreements in fiscal years 2017-18 and 2018-19 for the acquisition of motor vehicles for the Department of Public Safety, Bureau of State Police.

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PART AA

This Part authorizes the Department of Administrative and Financial Services to enter into financing arrangements on or after July 1, 2017 for improvements to the State's technology infrastructure and software. The agreements are limited to a principal cost of \$21,000,000 and a 6% interest rate and cannot exceed 7 years in duration.

PART CC

This Part continues the voluntary employee incentive program through the 2018-2019 biennium.

PART DD

This Part authorizes the Department of Administrative and Financial Services to identify positions to eliminate as the result of ongoing reorganizations due to efficiencies associated with the implementation of a new human resources and payroll system.

PART EE

This Part requires a review of vacant positions, regardless of fund source, in executive branch departments and agencies and authorizes position eliminations to achieve General Fund savings of \$1,500,000 in fiscal year 2018-19.

PART FF

This Part authorizes the Maine Governmental Facilities Authority to issue additional securities up to an amount of \$30,000,000 to pay for the costs of capital repairs and improvements to state-owned facilities and hazardous waste cleanup on state-owned properties.

PART GG

This Part does the following.

1. It requires the Commissioner of Administrative and Financial Services to prepare long-range economic projections and conduct studies and continuing economic analyses of the state economy.
2. It expands the mission of the Governor's Office of Policy and Management to include facilitating the achievement of all long-term state goals rather than only economic goals as in current law.
3. It repeals requirements that the Governor's Office of Policy and Management prepare long-range economic projections and conduct studies and continuing economic analyses of the state economy.
4. It repeals the requirement that the Governor's Office of Policy and Management assess and report on progress made by the State, municipalities, counties and school administrative units in achieving tax burden goals.

PART II

This Part directs the State Controller to transfer the remaining balance in the Rural Rehabilitation program, Other Special Revenue Funds account within the Department of Agriculture, Conservation and Forestry to a fund within the department's Division of

1 Quality Assurance and Regulation program, which this amendment renames the Bureau
2 of Agriculture program. It also moves the department's Rural Rehabilitation Operating
3 Fund to the Bureau of Agriculture program.

4 **PART JJ**

5 This Part moves the Other Special Revenue Funds accounts of the Agricultural Fair
6 Support Fund, Sire Stakes Fund, fund to supplement harness racing purses, Fund to
7 Encourage Racing at Maine's Commercial Tracks and Fund to Stabilize Off-track Betting
8 Facilities to the Other Special Revenue Funds operating account in the Harness Racing
9 Commission program in the Department of Agriculture, Conservation and Forestry.

10 **PART KK**

11 This Part directs the State Controller to transfer remaining balances in funds within
12 the Division of Animal Health and Industry program within the Department of
13 Agriculture, Conservation and Forestry to funds within the department's Division of
14 Quality Assurance and Regulation program, which this amendment renames the Bureau
15 of Agriculture program. It also moves the department's Agricultural Complaint Response
16 Fund, Potato Cull Removal Fund, Cattle Health Assurance Program Fund, Animal
17 Industry Fund, State of Maine Animal Response Team Fund and Nutrient Management
18 Fund to the Bureau of Agriculture program.

19 **PART LL**

20 This Part moves the Maine Mosquito Management Fund, Integrated Pest
21 Management Fund and Maine Pesticide Education Fund within the Department of
22 Agriculture, Conservation and Forestry to the department's Board of Pesticides Control
23 program. It also directs the State Controller to transfer any remaining balance in the
24 Maine Mosquito Management Fund program, Other Special Revenue Funds to the Board
25 of Pesticides Control program, Other Special Revenue Funds.

26 **PART MM**

27 This Part moves the Department of Agriculture, Conservation and Forestry's
28 agricultural development fund to the Bureau of Agriculture program within the
29 department.

30 **PART NN**

31 This Part moves the Agricultural Water Management and Irrigation Fund within the
32 Department of Agriculture, Conservation and Forestry to the department's Bureau of
33 Agriculture program. It also directs the State Controller to transfer remaining balances in
34 funds within the Division of Agricultural Resource Development program to funds within
35 the Division of Quality Assurance and Regulation program, which this amendment
36 renames the Bureau of Agriculture program.

37 **PART OO**

38 This Part moves the Maine Milk Commission's Dairy Industry Fund to the Milk
39 Commission program in the Department of Agriculture, Conservation and Forestry.

40 **PART PP**

1 This Part moves the Department of Agriculture, Conservation and Forestry's animal
2 welfare auxiliary fund to the Animal Welfare Fund program.

3 **PART QQ**

4 This Part eliminates the Maine Coastal Program in the Department of Agriculture,
5 Conservation and Forestry and authorizes the Commissioner of Marine Resources to
6 manage and coordinate the implementation of a state coastal zone management program.
7 This Part also directs the State Controller to transfer remaining balances at the end of
8 fiscal year 2016-17 from the Maine Coastal Program in the Department of Agriculture,
9 Conservation and Forestry to the Department of Marine Resources, Bureau of Policy and
10 Management program.

11 **PART SS**

12 This Part eliminates one Ranger Pilot position in the forest protection unit of the
13 Department of Agriculture, Conservation and Forestry, Bureau of Forestry.

14 **PART TT**

15 This Part changes the conservation easement registry fee from \$30 to \$80.

16 **PART UU**

17 This Part transfers any remaining balance in the Federal Expenditures Fund and
18 Other Special Revenue Funds in the Division of Plant Industry program in the
19 Department of Agriculture, Conservation and Forestry to the Division of Quality
20 Assurance and Regulation program.

21 **PART VV**

22 This Part renames the Forest Health and Monitoring program within the Department
23 of Agriculture, Conservation and Forestry the Forest Resource Management program.

24 **PART WW**

25 This Part renames the Division of Quality Assurance and Regulation program within
26 the Department of Agriculture, Conservation and Forestry the Bureau of Agriculture
27 program.

28 **PART XX**

29 This Part renames the Coastal Island Registry program within the Department of
30 Agriculture, Conservation and Forestry the Submerged Lands and Island Registry
31 program.

32 **PART YY**

33 This Part directs the State Controller to lapse \$435,088 of unencumbered balance
34 forward in the All Other line category in the Maine Farms for the Future Program,
35 General Fund account in the Department of Agriculture, Conservation and Forestry to the
36 General Fund unappropriated surplus no later than July 31, 2017.

37 **PART ZZ**

1 This Part directs the State Controller to lapse \$1,000,000 of unencumbered balance
2 forward in the Personal Services line category in the Division of Forest Protection
3 program, General Fund account in the Department of Agriculture, Conservation and
4 Forestry to the General Fund unappropriated surplus no later than July 31, 2017.

5 **PART AAA**

6 This Part directs the State Controller to transfer \$58,047 from the Department of
7 Agriculture, Conservation and Forestry, Beverage Container Enforcement Fund program,
8 Other Special Revenue Funds account to the General Fund unappropriated surplus no
9 later than August 30, 2017.

10 **PART BBB**

11 This Part requires the State Controller to transfer \$500,000 from available balances in
12 Other Special Revenue Funds accounts in the Department of Agriculture, Conservation
13 and Forestry to the General Fund unappropriated surplus at the end of fiscal year
14 2017-18. It requires the Commissioner of Agriculture, Conservation and Forestry to
15 determine prior to June 30, 2018 the Other Special Revenue Funds accounts from which
16 the funds must be transferred, excluding the Public Reserved Lands Management Fund.

17 **PART CCC**

18 This Part adds law enforcement officials in the Office of Chief Medical Examiner,
19 the investigation division and the Medicaid fraud control unit within the Office of the
20 Attorney General to the list of law enforcement officials authorized to use assigned state-
21 owned vehicles to commute between home and work.

22 **PART DDD**

23 This Part authorizes the Attorney General to set the compensation of the Deputy
24 Chief Medical Examiner in consultation with the Chief Medical Examiner and with the
25 approval of the Governor.

26 This Part also removes the specific salary schedule reference for the Deputy Chief
27 Medical Examiner, as this is the only unclassified, confidential position on the medical
28 personnel salary schedule.

29 **PART EEE**

30 This Part increases the maximum fee allowed to be paid to nonsalaried medical
31 examiners and nonsalaried medicolegal death investigators for an inspection and view.

32 **PART FFF**

33 This Part increases the fees charged by the Department of the Attorney General,
34 Office of Chief Medical Examiner for providing report documents and histological slides.

35 **PART GGG**

36 This Part increases the fee charged by a medical examiner for a certificate that is
37 required for cremation and allows this fee to be waived at the discretion of the Chief
38 Medical Examiner.

39 **PART HHH**

1 This Part renames the Audit - Departmental Bureau program the Audit Bureau
2 program to align the program name with the agency name, which was changed from the
3 Department of Audit to the Office of the State Auditor pursuant to Public Law 2013,
4 chapter 16.

5 **PART III**

6 This Part renames the Audit - Unorganized Territory program the Unorganized
7 Territory program to align the program name with the agency name, which was changed
8 pursuant to Public Law 2013, chapter 16 from the Department of Audit to the Office of
9 the State Auditor.

10 **PART JJJ**

11 This Part allows the Department of Corrections to carry unexpended Personal
12 Services balances to the Capital Expenditures line category in the Capital
13 Construction/Repairs/Improvements - Corrections program within the department
14 beginning at the close of fiscal year 2017-18.

15 **PART KKK**

16 This Part directs the Commissioner of Corrections to review the current
17 organizational structure of the Department of Corrections to improve organizational
18 efficiency and cost-effectiveness and directs the State Budget Officer to transfer positions
19 and available balances by financial order. The transfers must be made during the period
20 from July 1st to December 1st of each fiscal year in the 2018-2019 biennium to be
21 considered an adjustment to position count or appropriations. Any transfers resulting in a
22 program or mission change or facility closure must have legislative review.

23 **PART LLL**

24 This Part authorizes the Department of Corrections to transfer, by financial order,
25 Personal Services, All Other or Capital Expenditures funding between accounts within
26 the same fund for the purpose of paying departmental overtime expenses in fiscal years
27 2017-18 and 2018-19.

28 **PART MMM**

29 This Part requires the State Controller to lapse \$1,644,985 from the Prisoner
30 Boarding - Carrying account within the Department of Corrections in fiscal year 2017-18
31 to the General Fund unappropriated surplus.

32 **PART NNN**

33 This Part requires the State Controller to transfer \$68,163 from the Maine
34 Microenterprise Initiative Fund program, Other Special Revenue Funds account in the
35 Department of Economic and Community Development to the unappropriated surplus of
36 the General Fund by the close of fiscal year 2017-18.

37 **PART OOO**

38 This Part requires the State Controller to transfer \$78 from the Economic Opportunity
39 program, Other Special Revenue Funds account within the Department of Economic and

1 Community Development to the unappropriated surplus of the General Fund by the end
2 of fiscal year 2017-18.

3 **PART PPP**

4 This Part requires the State Controller to transfer \$2,765 from the Job Retention
5 Program, Other Special Revenue Funds account within the Department of Economic and
6 Community Development to the unappropriated surplus of the General Fund by June 30,
7 2018.

8 **PART QQQ**

9 This Part changes an appointed position's title from Science, Technology,
10 Engineering and Mathematics Workforce Coordinator to Director of Special Projects.

11 **PART RRR**

12 This Part eliminates the requirement that the Policy Director of Special Services in
13 the Department of Education supervise the school nurse consultant position.

14 **PART SSS**

15 This Part authorizes the Commissioner of Education's designee to appoint and
16 supervise a director of early childhood special education.

17 **PART UUU**

18 This Part directs the State Controller to transfer \$5,000,000 no later than June 30,
19 2018, as a one-time transfer, from the General Fund unappropriated surplus to the Fund
20 for Efficient Delivery of Educational Services, Other Special Revenue Funds account
21 within the Department of Education.

22 **PART VVV**

23 This Part authorizes the Department of Education to enter into lease-purchase
24 agreements for portable learning devices and support systems for students and educators
25 in fiscal years 2017-18 and 2018-19.

26 **PART WWW**

27 This Part authorizes the Maine Health Data Organization to transfer available
28 Personal Services balances up to a specified amount by financial order to the All Other
29 line category in the Maine Health Data Organization, Other Special Revenue Funds
30 account during the 2018-2019 biennium.

31 **PART AAAA**

32 This Part eliminates the Bone Marrow Screening Fund within the Department of
33 Health and Human Services. This Part also eliminates the ability of an individual to
34 designate a portion of that individual's income tax refund for the Bone Marrow Screening
35 Fund.

36 **PART BBBB**

37 This Part repeals the law establishing the Comprehensive Cancer Screening,
38 Detection and Prevention Fund within the Department of Health and Human Services.

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PART CCCC

This Part reassigns the application fee for a retail tobacco license that is now deposited in the General Fund to the Health Inspection Program account, which is an Other Special Revenue Funds account in the Department of Health and Human Services, Maine Center for Disease Control and Prevention, to cover the costs of administering licensing for tobacco retailers.

PART DDDD

This Part eliminates the Maine Asthma and Lung Disease Research Fund within the Department of Health and Human Services. This Part also eliminates the ability of an individual to designate a portion of the individual's income tax refund for the Maine Asthma and Lung Disease Research Fund.

PART IIII

This Part specifies that the base year for the hospital tax is 2014.

PART LLLL

This Part contains transition provisions for the consolidation of accounts from the Department of Health and Human Services, formerly the Department of Behavioral and Developmental Services, to the Department of Health and Human Services.

PART MMMM

This Part authorizes the Department of Health and Human Services to transfer available balances of appropriations between the MaineCare General Fund accounts for both fiscal years of the 2018-2019 biennium.

PART NNNN

This Part does the following.

1. It authorizes the Department of Health and Human Services to transfer by financial order certain available appropriations, including those in Personal Services, among 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 to the All Other line category of those programs in order to provide flexibility in the payment of operational expenses.

PART OOOO

This Part eliminates, beginning July 1, 2019, the authority of the Department of Health and Human Services to transfer dedicated family support services funds between the Developmental Services - Community program and the Office of Aging and Disability Services Central Office program and Long Term Care - Office of Aging and Disability Services program.

PART PPPP

1 This Part authorizes the transfer of available Personal Services or All Other balances
2 from the Department of Health and Human Services, Developmental Services -
3 Community program to the Crisis Outreach Program for the 2018-2019 biennium.

4 **PART QQQQ**

5 This Part authorizes the Department of Health and Human Services to transfer
6 appropriations within the Office of Child and Family Services related to the cost of
7 administering the child welfare program.

8 **PART RRRR**

9 This Part renames the Office of the Commissioner program within the Department of
10 Health and Human Services the Department of Health and Human Services Central
11 Operations program.

12 **PART SSSS**

13 This Part renames the Division of Licensing and Regulatory Services program within
14 the Department of Health and Human Services the Division of Licensing and
15 Certification program.

16 **PART TTTT**

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

22 **PART UUUU**

23 This Part amends the laws governing the Maine Commission on Indigent Legal
24 Services. It requires the eligibility standards developed by the commission to take into
25 account the ability of a person to make periodic installment payments toward counsel
26 fees. It requires the commission, at least every 5 years, to review the standards for
27 evaluating counsel. It modifies and adds to the duties of the commission. It specifies that
28 the executive director of the commission may contract for personnel. It provides that
29 non-General Fund funds received by the commission do not lapse at the end of the fiscal
30 year. It requires the executive director of the commission to establish procedures to
31 verify and review the eligibility of persons for indigent legal services and requires the
32 executive director to provide the court information used to determine indigency for
33 guidance to the court in determining a person's financial ability to obtain private counsel.
34 It provides for reimbursement and installment payments for persons determined by the
35 court to be able to contribute to payment of assigned or contract counsel. It exempts from
36 the prohibition on disclosing tax information the disclosure to the commission of tax
37 information for the purpose of determining the eligibility for indigent legal services and
38 the ability to reimburse expenses incurred by counsel.

39 This Part requires the State Controller to transfer \$19,205,270 from the
40 unappropriated surplus of the General Fund to the Maine Commission on Indigent Legal
41 Services, Reserve for Indigent Legal Services program, Other Special Revenue Funds and

1 stipulates that funds may not be transferred out of the Reserve for Indigent Legal Services
2 program without legislative approval.

3 This Part also establishes the Working Group to Improve the Provision of Indigent
4 Legal Services. The working group consist of 11 members including 2 Senators and 2
5 members of the House of Representatives. The other members represent the other
6 stakeholders, including 2 appointed by the Chief Justice of the Supreme Judicial Court.
7 Notwithstanding any other provision of law, the working group may access data
8 maintained by the Maine Commission on Indigent Legal Services and shall maintain the
9 confidentiality of any confidential information provided to the working group. The
10 working group may invite the participation and input of additional interested parties and
11 request information as necessary to carry out its duties.

12 The working group must submit a report, including recommendations, by December
13 6, 2017. The Joint Standing Committee on Judiciary may report out legislation to the
14 Second Regular Session of the 128th Legislature.

15 **PART VVVV**

16 This Part delays the funding of the Fiscal Stability Program until the 2020-2021
17 biennial budget.

18 **PART WWWW**

19 This Part directs the State Controller to transfer funds from the Inland Fisheries and
20 Wildlife Carrying Balances - General Fund account to the Enforcement Operations -
21 Inland Fisheries and Wildlife program, General Fund account to purchase one
22 replacement aircraft engine in fiscal year 2017-18 and one replacement aircraft engine in
23 fiscal year 2018-19.

24 **PART XXXX**

25 This Part increases compensation of active retired judges and justices of the state
26 courts from \$300 per day to \$350 per day and from \$175 per 1/2 day to \$200 per 1/2 day.

27 This Part also provides for a raise of 3% for judges and justices of the state courts for
28 both fiscal year 2017-18 and fiscal year 2018-19.

29 **PART YYYY**

30 This Part clarifies that the record search fee schedule established by the State Court
31 Administrator is for those record searches performed by Judicial Department employees
32 and specifies that the record search fees deposited into the fund for use by the State Court
33 Administrator to fund publications, forms and information technology are those fees for
34 record searches performed by Judicial Department employees.

35 This Part also allows the Supreme Judicial Court to raise or establish fees on online
36 electronic case searches performed by Judicial Department employees, document delivery
37 and case filings and surcharges on fines for the purpose of paying the cost of maintaining
38 an electronic filing and court information management system.

39 **PART ZZZZ**

1 This Part provides that the members of the Maine Unemployment Insurance
2 Commission must be sworn and may be removed by the Governor for inefficiency,
3 willful neglect of duty or malfeasance in office, but only with the review and concurrence
4 of the joint standing committee of the Legislature having jurisdiction over labor matters
5 upon hearing in executive session or by impeachment. Before removing a commission
6 member, the Governor shall notify the President of the Senate and the Speaker of the
7 House of Representatives of the removal and the reasons for the removal.

8 **PART AAAAA**

9 This Part moves the original jurisdiction of employer unemployment appeals cases
10 from the Maine Unemployment Insurance Commission, the members of which are
11 appointed by the Governor, to the Department of Labor, Bureau of Unemployment
12 Compensation, Division of Administrative Hearings to conform with federal law.

13 This Part also revises the law to comply with Section 303(a)(3) of the federal Social
14 Security Act, which requires that the first level of appeals hearings must be conducted by
15 a merit-staffed governmental employee in order to meet the impartial hearing requirement
16 of Section 303(a)(3). For the purposes of this provision, "merit-staffed" means that the
17 individuals are subject to personnel standards based on a merit system and are not
18 political appointees.

19 **PART BBBBB**

20 This Part repeals the provision of law that prohibits any unencumbered balance in the
21 Competitive Skills Scholarship Fund from being used for a different purpose without
22 legislative approval.

23 **PART CCCCC**

24 Section 1 of the Part changes the weekly benefit subtraction factor for partial
25 unemployment from \$25 to \$100 to incentivize reemployment and connection to the
26 workforce.

27 The remainder of this Part changes the experience rating and the lowest tax schedule
28 to make Maine unemployment tax rates more equitable. The chargeability of benefit
29 charges is revenue neutral.

30 **PART DDDDD**

31 This Part directs the Commissioner of Labor to identify positions to eliminate in the
32 Department of Labor as the result of ongoing reorganizations and report to the joint
33 standing committee of the Legislature having jurisdiction over labor matters. The
34 committee is authorized to report out legislation regarding the recommendations to the
35 First Regular Session of the 129th Legislature.

36 **PART EEEEE**

37 This Part separates the fees for each license issued by the Department of Marine
38 Resources into a license fee and a surcharge fee that accrues to a specific fund. This Part
39 directs 30% of the license fees imposed pursuant to the Maine Revised Statutes, Title 12,
40 Part 9 into the Coastal Fisheries, Research Management and Opportunity Fund, which is

1 established to fund scientific research, management or enforcement activities related to
2 marine resources.

3 **PART FFFFF**

4 This Part renames the Board of Registration for Professional Engineers program
5 within the Department of Professional and Financial Regulation the State Board of
6 Licensure for Professional Engineers program.

7 **PART IIIII**

8 This Part provides that the Executive Director of the Gambling Control Unit has the
9 authority to administer and enforce the provisions of the Maine Revised Statutes, Title
10 17, chapter 13-A governing the conduct of beano and Title 17, chapter 62 governing
11 games of chance.

12 **PART JJJJJ**

13 This Part transfers the oversight, administration and enforcement of the Maine
14 Revised Statutes, Title 17, chapter 13-A governing beano from the Chief of the State
15 Police to the Gambling Control Unit within the Department of Public Safety. It reduces
16 some requirements for organizations that conduct beano, such as requiring them to
17 register with the Gambling Control Unit rather than apply for a license and to maintain
18 records of the use of proceeds from beano rather than regularly file disposition of funds
19 reports with the Gambling Control Unit. High-stakes beano under Title 17, chapter 13-A
20 is still subject to licensure. This Part also adds some provisions to Title 17, chapter 13-A
21 to permit schools, campgrounds and resorts to conduct beano for the entertainment of
22 their guests, including children under 16 years of age, as long as certain requirements are
23 met.

24 **PART KKKKK**

25 This Part transfers in the Department of Public Safety the oversight, administration
26 and enforcement of the Maine Revised Statutes, Title 17, chapter 62 governing games of
27 chance from a licensing unit to the Gambling Control Unit. It reduces some requirements
28 for organizations that conduct certain games of chance, such as requiring them to register
29 with the Gambling Control Unit rather than apply for a license and maintaining records of
30 the use of proceeds from games rather than regularly filing disposition of funds reports
31 with the Gambling Control Unit. Card games and most tournament games are still
32 subject to licensure under this Part. It adds a provision that permits the operation of
33 cribbage tournaments for charitable purposes without a license. These tournaments are
34 not required to be conducted by a nonprofit organization and may be conducted in places
35 like a restaurant or brewery tap room. Entry fees are limited to \$25, and all fees must be
36 paid as prizes or donated to a verifiable charitable purpose. It also makes changes
37 regarding the conduct of raffles for charitable purposes, including a provision that permits
38 the conduct of a raffle with a prize value up to \$1,000 to be conducted by a person or
39 organization without having to be licensed by or registered with the Gambling Control
40 Unit.

41 **PART LLLLL**

1 This Part provides that public safety inspectors in the Department of Public Safety,
2 Office of the State Fire Marshal for the purpose of enforcing the Maine Revised Statutes,
3 Title 25, section 2452, relating to statewide enforcement powers of the National Fire
4 Protection Association No. 101, Life Safety Code, have the right to execute or serve
5 criminal and civil violation process against offenders who violate the National Fire
6 Protection Association No. 101, Life Safety Code.

7 **PART MMMMM**

8 This Part amends the law regarding examinations of plans for construction,
9 reconstruction or repairs submitted to the Department of Public Safety by establishing a
10 single fee schedule for new construction, reconstruction, repairs and renovations of 1.5/10
11 of 1% of the cost to construct or reconstruct the portion of the project subject to State Fire
12 Marshal review.

13 **PART OOOOO**

14 This Part requires the State Controller to transfer \$1,000,000 in unexpended funds
15 from the Gambling Control Board program, Other Special Revenue Funds account in the
16 Department of Public Safety by the end of fiscal year 2018-19 to the General Fund
17 unappropriated surplus.

18 **PART PPPPP**

19 This Part increases the baseline appropriation for the Debt Service - UMS program
20 within the University of Maine System by \$3,000,000 per year starting in fiscal year
21 2019-20 for debt service costs to support a 10-year revenue bond for the construction of
22 an engineering building on the Orono campus of the University of Maine.

23 **PART QQQQQ**

24 This Part clarifies that there are 2 deputy commissioner positions within the
25 Department of Administrative and Financial Services. This Part also authorizes the
26 Commissioner of Administrative and Financial Services to reorganize the Bureau of
27 General Services and submit a bill in the Second Regular Session of the 128th Legislature
28 to enact the reorganization.

29 **PART RRRRR**

30 This Part requires the State Controller to transfer \$500,000 from General Fund
31 undedicated revenue annually to the Agriculture Promotion Fund in the Department of
32 Agriculture, Conservation and Forestry.

33 **PART SSSSS**

34 This Part provides the Commissioner of Corrections authority to inspect, review and
35 take custody of records of county jails related to the funding and operation of county jails.

36 This Part requires the Department of Corrections by February 15, 2018 to submit a
37 report to the Joint Standing Committee on Appropriations and Financial Affairs and the
38 Joint Standing Committee on Criminal Justice and Public Safety on plans to restructure
39 the funding and operation of county jails and correctional facilities and prisoner
40 population and capacity. The Joint Standing Committee on Criminal Justice and Public

1 Safety is authorized to report out legislation in the Second Regular Session of the 128th
2 Legislature implementing the recommendations.

3 **PART TTTTT**

4 This Part authorizes the University of Maine System to issue taxable bonds.

5 **PART VVVVV**

6 This Part provides for the creation of 9 to 12 school management and leadership
7 centers. School administrative units may voluntarily establish a school management and
8 leadership center through an interlocal agreement and may include associate members
9 through contractual agreements or memoranda of understanding. A school management
10 and leadership center provides administrative and education functions in accordance with
11 the interlocal agreement and functions as an extension of the schools that are members of
12 the school management and leadership center. Participating school administrative units
13 voluntarily choose which educational functions or support services they purchase from a
14 school management and leadership center.

15 **PART XXXXX**

16 Current law specifies that only 10 public charter schools may be approved. This Part
17 instead provides that no more than 10 public charter schools may operate at any one time.

18 **PART AAAAA**

19 This Part adds engaging in training and staff development for identification of and
20 provision of intervention services for children with autism to the program functions of the
21 Child Development Services System.

22 **PART EEEEE**

23 This Part directs the Department of Education to review the work of the
24 public-private partnership Count ME In and to undertake a comprehensive attendance
25 initiative to address truancy. This Part also directs the department to report to the Joint
26 Standing Committee on Education and Cultural Affairs by January 31, 2018.

27 **PART GGGGG**

28 This Part requires that any remaining balance in the Office of Substance Abuse and
29 Mental Health Services program, General Fund account within the Department of Health
30 and Human Services be carried forward for use by this program in the next fiscal year.

31 **PART IIIII**

32 This Part requires the Department of Health and Human Services to establish criteria
33 for a grant to be awarded to a provider of services that alert prescribers or dispensers to
34 the drug-related criminal background of patients and to award the grant to the applicant
35 most closely fitting those criteria.

36 **PART JJJJJ**

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

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

4 **PART LLLLLL**

5 This Part directs the Commissioner of Agriculture, Conservation and Forestry to
6 adjust the fees for testing weighing and measuring devices so as to generate additional
7 undedicated revenue to the General Fund of \$100,000 annually, beginning in fiscal year
8 2017-18.

9 **PART PPPPPP**

10 This Part amends the duties of the position of Director of the Bureau of Parks and
11 Lands within the Department of Agriculture, Conservation and Forestry to specify that
12 the duties of the position may not be combined with any other position within the bureau
13 or department and that the position may not be filled in an acting capacity.

14 **PART SSSSSS**

15 This Part allows children of state employees to be eligible for the State Children's
16 Health Insurance Program as long as they meet the other eligibility requirements.

17 **PART TTTTTT**

18 This Part authorizes funding of the collective bargaining agreement reached by the
19 Judicial Department and 4 collective bargaining units.

20 **PART VVVVVV**

21 This Part provides a working capital advance of \$57,368 to the Board of
22 Complementary Health Care Providers from unobligated balances within the Licensing
23 and Enforcement program, Other Special Revenue Funds account from licensing,
24 registration and other fees of professions licensed, certified or registered within the
25 Department of Professional and Financial Regulation, Office of Professional and
26 Occupational Regulation by October 15, 2017 for the initial costs of establishing a new
27 licensing requirement for individuals practicing midwifery. It directs repayment of the
28 working capital advance from fees collected by the board no later than June 30, 2019.

29 **PART ZZZZZZ**

30 This Part makes appropriations and allocations necessary to carry out the purposes of
31 this amendment.

32 **PART AAAAAA**

33 This Part requires the Treasurer of State to first credit \$2,500,000 in fiscal year
34 2017-18 and \$2,500,000 in fiscal year 2018-19 of the revenues from the real estate
35 transfer tax that would have been deposited into the Housing Opportunities for Maine
36 Fund within the Maine State Housing Authority to the General Fund.

37 **PART BBBBBB**

38 This Part lapses \$2,500,000 from the Legislature, General Fund account to the
39 unappropriated surplus of the General fund in each year of the 2018-2019 biennium.

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PART CCCCCC

This Part requires the State Controller to transfer from the Unclaimed Property Fund to the Maine Budget Stabilization Fund any amount in the Unclaimed Property Fund in excess of \$5,767,234 by June 30, 2017 and transfer \$2,000,000 from the Maine Budget Stabilization Fund to the General Fund unappropriated surplus by June 30, 2018.

PART DDDDDD

This Part requires the State Controller to lapse \$2,000,000 from the Education in Unorganized Territory, General Fund account in the Department of Education to the General Fund unappropriated surplus no later than June 30, 2018.

PART EEEEEEE

This Part authorizes the State Controller to transfer up to \$65,000,000 from the Maine Budget Stabilization Fund to a General Fund reserve account for 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, related to the Riverview Psychiatric Center.

PART FFFFFFF

This Part requires the State Controller to carry any remaining balance in the Office of Treasurer of State, Debt Service program from fiscal year 2016-17 into fiscal year 2017-18 and from 2017-18 into 2018-19.

PART GGGGGGG

This Part requires the State Controller to carry forward into the following fiscal year for each year of the 2018-2019 biennium any remaining balance in the Fund for Efficient Delivery of Local and Regional Services program in the Department of Economic and Community Development.

PART HHHHHHH

This Part requires the State Controller to transfer \$11,200,000 from available balances in Other Special Revenue Funds accounts within the Department of Professional and Financial Regulation to the General Fund unappropriated surplus at the close of fiscal year 2017-18. The Commissioner of Professional and Financial Regulation is required to determine from which accounts the funds will be transferred so that the sum equals \$11,200,000 and notify the State Controller and the Joint Standing Committee on Appropriations and Financial Affairs of the amounts to be transferred from each account on or before June 30, 2018.

PART IIIIII

This Part requires the State Controller to transfer \$6,000,000 total from 2 court settlements reached by the State to the General Fund unappropriated surplus. The Attorney General has confirmed that the specified use of the funds to be transferred by this Part is consistent with the terms of the court orders.

PART JJJJJJ

1 This Part provides that if the budget of a school administrative unit is based on
2 assumptions that include an increase in the school administrative unit's state share of the
3 total cost of funding public education from kindergarten to grade 12 under the Essential
4 Programs and Services Funding Act, at least 50% of the increase in the state share of the
5 total cost of public education must be used to lower the local contributions to the total
6 cost of education and the remaining 50% may be used only if approved through an article
7 in the local budget to increase expenditures for school purposes in cost center categories
8 approved by the local board, increase the allocation of finances for a reserve fund or
9 provide an additional amount to lower the local contributions to the total cost of
10 education. For the school budget for fiscal year 2017-18 only, if the school budget
11 approved by the voters has earmarked additional state funding contributions for increased
12 expenditures for school purposes in fiscal year 2017-18, the use of the additional state
13 funding is permitted as approved.

14 **PART KKKKKKK**

15 This Part requires the State Controller to carry forward into the following fiscal year
16 for each year of the 2018-2019 biennium any remaining balance in the Debt Service -
17 Government Facilities Authority program.

18 **PART LLLLLLL**

19 This Part requires the State Controller to:

20 1. By June 30, 2018 and June 30, 2019, pay \$400,000 from the General Fund
21 unappropriated surplus to the Finance Authority of Maine to be deposited in the Doctors
22 for Maine's Future Scholarship Fund to provide funding for medical school scholarships
23 for eligible students;

24 2. By June 30, 2018 and June 30, 2019, transfer \$320,000 from the Board of
25 Licensure in Medicine, Department of Professional and Financial Regulation, Other
26 Special Revenue Funds account to the General Fund unappropriated surplus; and

27 3. By June 30, 2018 and June 30, 2019, transfer \$80,000 from the Board of
28 Osteopathic Licensure, Department of Professional and Financial Regulation, Other
29 Special Revenue Funds account to the General Fund unappropriated surplus.

30 **PART MMMMMM**

31 This Part requires the Department of Health and Human Services to increase the rates
32 for home-based and community-based personal care and related services referenced in the
33 February 1, 2016 report "Rate Review for Personal Care and Related Services: Final Rate
34 Models" prepared for the department by Burns & Associates, Inc. This Part also requires
35 the department to increase the rates for certain procedure codes provided in Chapter 101:
36 MaineCare Benefits Manual, Chapter III, Sections 21 and 29. The rates must be
37 increased on a proportionally equal basis using funding provided for that purpose
38 elsewhere in this legislation.

39 **PART NNNNNN**

40 This Part makes the following changes to the statutes relating to programs
41 administered by the Department of Health and Human Services.

- 1 1. It removes reference to the Aid to Families with Dependent Children, or AFDC,
2 program in the laws relating to electronic benefits transfer cards.
- 3 2. It makes changes to the laws relating to electronic benefits transfer cards by
4 allowing the department to place photographs on the cards and by restricting the number
5 of replacement cards issued.
- 6 3. It changes the statewide food supplement program eligibility requirements as they
7 relate to certain felons convicted of violent crimes and sexual assault and certain lottery
8 and gambling winners.
- 9 4. It provides for annual eligibility evaluations under the MaineCare program.
- 10 5. It changes the special housing allowance for families receiving TANF benefits to
11 provide the allowance to those whose shelter expenses exceed 50% of their monthly
12 income rather than 75% as in current law.
- 13 6. It provides for an increase in the monthly TANF maximum benefit. Beginning on
14 October 1, 2017, the maximum amount must be increased by 20% of the maximum
15 payments made on January 1, 2017. Beginning on October 1, 2018, the maximum
16 amount must be increased annually by an amount equal to the increase in the cost of
17 living pursuant to the federal supplemental security income program. The department is
18 directed to increase the standard of need to maintain the same differential between the
19 maximum payment and the standard of need that was in effect on January 1, 2017.
- 20 7. It directs the department, beginning in fiscal year 2017-18 and annually thereafter,
21 to provide \$3,000,000 in funds provided under the Temporary Assistance for Needy
22 Families block grant to the Maine State Housing Authority to provide heating assistance
23 for low-income families with children.
- 24 8. It allows the enrollment in the Parents as Scholars Program of a person pursuing
25 any degree or certification if the occupation has at least an average job outlook.
- 26 9. It requires reporting by the department on welfare fraud, provider contracts, grant
27 funding, department out-of-state travel costs and spending in the MaineCare program, the
28 TANF program, the statewide food supplement program and municipal general
29 assistance.
- 30 10. It establishes in the department a program to provide access to reliable,
31 affordable transportation for families receiving TANF benefits or benefits under the
32 Parents as Scholars Program or that are financially eligible for alternative aid in order to
33 allow them to obtain or retain sustainable employment.
- 34 11. Current law allows an individual to avoid being sanctioned for failure to
35 participate in the Additional Support for People in Retraining and Employment -
36 Temporary Assistance for Needy Families program, or ASPIRE-TANF program, if the
37 individual demonstrates good cause. The Part removes as evidence of good cause sexual
38 harassment at a program-approved component.